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Rep. Smith Testimony on AB 250/SB 208: Dog Breeders Licensure Bill

As Prepared for Delivery

Thank you Rep. Hintz and Sen. Wirsch, committee members, for holding this important hearing today on AB 250, the Dog Breeders Licensure Bill. This bill is the product of more than a year of discussion, including the end result of a workgroup convened on this topic. We've worked hard with all interested parties to develop a program that will provide standards of care for these animals.

Wisconsin is one of the few states that lack any legislation in this area, increasing our reputation as "puppy mill central." Nationally, 28 states already have some form of licensure or regulatory program. For instance, Illinois requires anyone with 5 or more unaltered dogs to obtain a license. Pennsylvania requires anyone keeping 26 or more dogs to be licensed and Colorado licenses anyone selling 25 or two or more litters.

In Wisconsin, state statute provides penalties for violations of animal cruelty, but the threshold is so high that even the worst offenders often come away with little more than a slap on the hand – and they keep their dogs and can continue breeding! At the federal level, the USDA does license wholesale breeders, but this doesn't include breeders selling directly to individuals and inspections and regulation is lacking.

I have seen firsthand the problems occurring in our state. I've been to the Thorp auction in Clark County twice, an auction of the worn-out breeding dogs – used up dogs that spent their life in a small contained area. Sometimes this is a cage, a small box, and they've been over bred and sometimes crippled from this life. After all this, they are brought to the auction where only the warm hearted people typically come and buy them.

I have also accompanied a local reporter to several facilities. I saw some of the worst instances of neglect and unsanitary conditions tended to be at the smaller facilities. After conversations with DATCP and other states with dog breeding licensure programs, it became clear that the problem isn't necessarily at the large facilities, but most common at facilities selling between 25-50 dogs a year.

Senator Kreitlow and I have received calls from numerous constituents across the state, but especially in our districts, urging us to act. We decided to pick up where past representatives have left off, but also work with the groups that would be impacted by this legislation to develop a program that will work for everyone and provide standards of care for these animals.

This bill creates licensure requirements for commercial dog breeders and establishes minimum standards of care for these licensed facilities. Anyone selling more than 25 dogs in a year will need to be licensed through DATCP. The amendment we introduced provides an exemption that an individual can sell more than 25 dogs



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in a year so long as they come from 3 litters or less. This change came after numerous discussions with dog breeders across the state, and will ensure that true hobby breeders will not need a license.

This bill grants DATCP rulemaking authority so these standards of care provide flexibility to the industry while also ensuring strong legislative oversight throughout the process. An advisory committee composed of individuals from each interested group will participate in the rulemaking process and ensure that anyone impacted by this legislation will be able to provide invaluable input.

Most importantly, this bill validates the good breeders. Right now if you say you're a dog breeder, many people immediately think of puppy mills and assume the worst. This bill will restore some credibility to the respectable and honorable breeders, giving them the opportunity to be listed and hang their license of validation on the wall. With this legislation, someone buying a puppy can be assured of the quality and character of the person they are dealing with.

We've worked hard with all interested parties to develop a program that will protect responsible breeders without over burdensome regulations. Many times I'm asked why we don't just raise the threshold to 50, or even higher. Raising the threshold to even 50 would be detrimental to the success of this bill, as it would miss regulating some of the most irresponsible breeders.

Raising the threshold would be against the wishes of the groups that have been fighting for this program since the beginning. After listening to breeders across the state and working closely with the Dog Federation, it's clear that true hobby breeders rarely sell more than 1-2 litters in a year. As amended, even a dog breeder with large litter numbers can be assured that a "silent heat" or suddenly "throwing" a large litter won't cause them to have to suddenly need a license.

In working with the various groups on this bill, we've developed a licensure program that is fiscally neutral and has broad bipartisan support. As a closing, I'd like to thank all the cosponsors on this bill; 72 representatives and senators from both sides of the aisle have showed their support by signing on.

They and the thousands of constituents that have called in have patiently waited for this public hearing. I can't say enough for them as they let Sen. Kreitlow and I work through the details with all the outside groups. To all of you that have been following this issue: Thank you for your support and patience. A day doesn't go by since I started circulating this bill that someone doesn't ask "How's that puppy bill going?" or "I'm so glad to see that something is happening with this bill".

I'm so proud to be sitting here after you have worked so hard for this for so long. To all of you, it's nice to finally say that today is your day.