

INTERIM CONCLUSIONS

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BROAD INTERIM CONCLUSIONS

1. Existing animal welfare legislation is fundamentally adequate except for
 - its treatment of euthanasia to dispose of excess cats and dogs as if it wasn't a life exterminated but an inventory error corrected
 - funding
 - inspections of public and private facilities
 - supervision of custodial facilities management and personnel
 - enforcement, particularly mandatory s/n of all adopted dogs/cats, levying of civil fines against facilities not in compliance, and proper use of gas chambers
2. There is an undiminished excess of companion animals and the balance between over-supply and under-demand is achieved by killing.
3. Leadership is not coming from the State Veterinarian because
 - inadequate funding
 - focus on other missions
 - concern that protecting dogs/cats will translate to higher standards of care for other animals, especially farm animals
4. Breeders who breed for show and/or breed responsibly for profit or breed improvement deserve recognition as the gold standard of breeding whereas those who breed irresponsibly deserve regulation.

Self-policing is best but if self-policing of commercial, for-profit breeding isn't uniform or effective, then until it is, no amount of spay/neuter is sufficient to offset unchecked breeding.
5. Owners who purchase or adopt for impromptu or superficial reason are not held accountable for their lack of care and commitment, and public pounds function in consequence as garbage dumps, extermination facilities, and begetters of rescue groups.

p. 3 – broad interim conclusions (cont.):

6. Compared with the hunt clubs, AKC and its familiars, and (some) vets intent on preserving the status quo, groups dedicated to spay/neuter, rescue and animal welfare are not organized and vocal, resulting in being largely weak and less effective than the opposition.
7. National animal welfare organizations have not banded together to oppose preservation of the status quo.

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PRINCIPAL OBJECTIVES

The principal objectives are

responsible ownership

responsible breeding

responsible funding/enforcement (responsible governance)

HOW TO ACHIEVE PRINCIPAL OBJECTIVES

by creating a new class of responsible owners

by breeder controls imposed by responsible breeders

by improving enforcement and funding

responsible ownership

Suggestions that were made about ways to get to responsible ownership follow.

Which of these would you like to see introduced in the 2005 General Assembly? If you select any of these, or substitute others, will you help to get such legislation not just introduced, but passed?

Let us know which you favor and which you will work on to get passed.

1. all dogs and cats must be identified by tattoo or chip; identifying information includes owner, source, and pet name
2. if owner relinquishes dog or cat to be euthanized for no good reason, good reason including disability of the pet, illness or incarceration of the owner, the owner pays a fee
3. if dog or cat is abandoned and needs to be euthanized for medical or other serious reasons, owner is fined \$1500 plus cost of euthanasia
4. each county will cause to be published a photograph and description of each stray or abandoned dog picked up by animal control, with a reward of half the fine (half of \$1500) for information leading to finding and fining the owner
5. any dog/cat picked up as a stray will incur a fine of \$250 for its owner
6. any dog/cat picked up as a stray must be sterilized prior to being retrieved; owner pays, plus pays \$10/day for each day dog/cat was held at public facility
7. if dog/cat found dead as result of being shot, poisoned or drowned, owner fined \$1500
8. every owned deceased dog/cat must have a death certificate
9. provide vets who participate in low cost s/n some kind of tax credit

responsible breeding

breeding defined:

Help develop a working definition if these are inadequate in your opinion.

a “responsible” breeder is a breeder who is a “fancier” or a breeder of purebreds, not just breeding for profit

an “irresponsible” breeder is a back-yard breeder (BYB) of any breed for profit only, or a supplier of mixed breeds

Suggestions regarding ways to have responsible breeding are below.

As with responsible ownership, which of these suggestions regarding responsible breeding do you want introduced in the 2005 General Assembly?

And which will you help get introduced and passed?

Let us know which you favor and which you will work on to get passed.

1. no person may be involved in the commerce of breeding and selling dogs/cats in Virginia without a valid breeder’s license and without a valid business license awarded by the county in which the business is conducted

breeders get breeder’s licenses by showing accreditation by the local chapter of that breed group and the state vet

breeders may not receive business licenses without first having a breeder’s license
2. breeders in violation of business license requirements are fined \$3K for the first violation, \$5K for the second, and \$10K for each successive violation
3. every dog/cat sold must be identified
4. no adoption or sale may be consummated if the dog/cat is not sterile unless the purchaser buys a breeder license for the specific animal prior to purchase or adoption, or unless other good cause is shown, such as age, health or sequestration; membership in a sporting group or hunting club will not be adequate reason for non-sterilization

p. 7 - responsible breeding (cont.):

5. no newspaper or magazine may accept an advertisement for the sale of a dog/cat unless the advertiser/seller provides the Virginia business license number in the ad
6. civil fines for violating a breeder license are to be imposed by the county administrator or by the State Vet
7. every breeder must have a contract delineating duties of ownership and damages for breach, enforceable by the breeder, law enforcement, or any rescue group
8. every breeder must have facilities that satisfy Virginia's animal welfare laws; facilities must comply with same laws as do public and private custodial facilities; includes reporting to the State Vet the same animal record information
9. animals bred outside Virginia and subsequently sold to Virginians cannot leave their home state without an accompanying certificate of good health written by an accredited veterinarian in the state the animal leaves, and that certificate no more than 72 hours old, and Virginia sales tax must be paid
10. animals bred outside Virginia and subsequently sold in Virginia cannot enter Virginia without an accompanying certificate of good health written by an accredited Virginia veterinarian, and that certificate must be written within 48 hours of arrival

responsible governance (funding and enforcement)

Suggestions about funding and enforcement follow.

As with the topics above regarding responsible ownership and responsible breeding, which of these suggestions do you want introduced in the 2005 General Assembly?

And which will you help get introduced and passed?

Let us know which you favor and which you will work on to get passed.

funding:

1. license fees, fines, and penalties must be adequate to support
premises inspection
county-wide animal control
abuse and cruelty prosecution
housing and custodial care for dogs and cats
spay/neuter surgery including access to a s/n mobile clinic
TNR programs
2. increase dog licenses from the current maximum of \$10 to \$25
3. all dogs/cats must be licensed; failure to do so incurs fine of \$250
4. the cost of a license doubles for every dog over 5, doubles again at 10, and doubles again over 15; kennel licenses are replaced by breeder licenses; shelters, rescues, and foster homes are exempt
5. sales tax on sales of dogs/cats will be 8% for every sale in Virginia, and 15% for every animal purchased from out of state or sold out of state

breeder collects and remits sales tax; failure to remit burdens purchasers
6. breeder's licenses
7. business licenses for breeders

p. 9 – responsible governance (cont.):

enforcement:

1. the State Vet or an alternative law enforcement equivalent agency or private contractor shall inspect twice annually the premises of pounds, shelters, pet stores, and those with breeders licenses

follow-up inspections will be within 30 days and at completion, a certificate of compliance will be issued
2. state vet shall levy civil fines if non-compliance found and not corrected within 30 days

civil fines may be appealed to the circuit court within that jurisdiction after posting an appropriate bond
3. each pound/shelter/rescue is required to record and photograph any dogs with wounds or scars that appear to be the result of dog fighting; such records shall be reported immediately to the State Vet, to the FBI, and to the Commonwealth Attorney with copies to the Attorney General
4. no dog/cat can be adopted or purchased without being sterile or with a breeding license; violations are fined as for violations of breeding license
5. all pounds/shelters shall be open on weekends for adoption days, or shall contract with rescue groups for that purpose; if done under contract, the rescue groups will be paid their expenses
6. all dogs/cats must be licensed; failure to do so results in penalty of \$125 plus license fee
7. cost of public pound inspections paid by the county or city/town having the facility

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