



Iowa Federation of Animal Owners

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IaFed is aware that there is much confusion and high emotions concerning the legislation pertaining to dog breeders that is making its way through the legislative chambers at the capitol in Des Moines. It is very important that everyone understands the history behind this legislation and the current climate at the capitol. We ask you to reserve judgment pertaining to the actions of IaFed and the legislation that passes until you know the facts.

Facts:

- 1) At the close of the 2009 legislative session the “puppy mill bill” was held up in committee in the House of Representatives during the last minutes of the session. At that time the decision was made to have an interim study committee assigned to the issue. The study committee met on Sept. 29, 2009. IaFed spent many hours preparing for that meeting. Although IaFed was not put on the schedule to speak, IaPBA was granted that privilege and Nancy Carlson, Rob Hurd, and Joe Gerst gave a power point presentation defending the pet industry here in Iowa. Several meetings with legislators, kennel tours at licensed breeding facilities, and meetings with Sec. of Ag. Bill Northey, along with time spent with PolicyWorks compiled many hours of prep work for this meeting. We were told that going into this meeting, the pendulum was swung way into our oppositions’ camp, and coming out of the meeting it was brought back to the middle.
- 2) IaFed has been challenged by legislators as to “what are we as an industry doing to get rid of the bad players in the dog breeding business?” Quite honestly, we did not have a good answer to that question and realized we have to make some changes. Although our opposition does often exploit the truth, they do have proof of licensed substandard facilities in this state that are being allowed to continue to operate. We have to face that fact.
- 3) IaFed was told by Senate President Gronstal that “there will be a bill this year,” meaning that we better be willing to work on something because legislation of some type was going to go forward in 2010.
- 4) Jill Altringer, IaFed’s lobbyist, told us that the legislators are feeling very stressed this year and we must be reasonable and be willing to come to the table and work out our differences. They will not tolerate unreasonableness, whining, and complaining. Hence, we took a low key approach and quietly worked behind the scenes on this legislation. We were prepared for battle if the bill became impossible to live with.
- 5) The bill moving through the chambers is not our bill; it is not entirely our oppositions’ bill. It is a legislators’ bill. The legislators have tried to work with both sides of this issue. Neither side is getting exactly what they wanted. Believe us, the bill is 100% better than what first came to us in a rough draft form! We were warned that if we did not accept this bill, something much worse could come our way.
- 6) A good breeding facility in this state can live with this bill and still stay in business. A substandard facility will need to make some changes or face the consequences.

Below is a quick summary of the “before” and “after” picture of the bill starting back in the 2009 legislative session. With all this information, we hope you will agree that given the facts, we were able to make changes to protect our industry. Jill has assured us that we have gained credibility and respect with many legislators and are in a much better position to protect our interests than we were before. Let’s count our victories!

BEFORE	AFTER
1) State inspections of USDA facilities: State <i>shall</i> inspect USDA licensed facility upon receiving a complaint. There were no qualifications on “complaint.”	1) State <i>may</i> inspection USDA facility if there is reasonable cause to believe person is not providing for the standard of care required for permittees (USDA licensed facilities are labeled permittees). The following methods will be used for determining reasonable cause: a) oral or written complaint, complainant must provide name, address, and phone number. The information will be kept confidential unless case is contested. b) USDA inspection report has violations that breach a standard of care required. (page 10 line 12- page 11 line 6)
2) State exemption for USDA licensed facilities: This language was totally removed. USDA licensed facilities would have to comply with any state regulations put in place.	2) If USDA licensed facilities are inspected by the state, the USDA licensed facilities will be inspected by rules that are not more restrictive than required under the Animal Welfare Act. (page 9 lines 6-20)
3) Annual license and permit fees for pet shops, public auctions, dealers and breeders were left open ended based on rules adopted by the department. (The department was encouraged to follow the USDA fee schedule.)	3) Yearly license, registrant, and permit fees: Registrants - \$75/yr. Licensees and Permittees \$175/yr. (This put a cap on the fee to prevent it from going out of sight!) The fees will be put directly in the Department of Ag’s fund to assure there is enough money for them to hire inspectors. This is better for the department in the current budget crunch. It is a way that we, as commercial establishments, can take responsibility in paying for inspections and prevent the possibilities of funding of the process by other special interest groups. (page 4 line 25 – page 5 line 10)
4) Pet shops, dealers, public auctions, kennels, and breeders could not purchase animals from a commercial establishment that did not have a valid authorization. (we felt this language would hinder interstate purchases and sales as written)	4) Pet shops, dealers, public auctions, kennels, and breeders can purchase animals from authorized commercial establishments in this state or similar authorized facilities in other states. Restriction is still in place that these facilities cannot purchase from a source that should be authorized if it is not.
5) Continuing Education: Department may require continuing education for establishments in violation of a standard of care.	5) Continuing Education language remains the same. (page 11 lines 13 – 35)
6) Civil penalties: Not more than \$1,000 per day per violation. Each day is a separate violation. (Count up how quickly this could sky rocket depending on the number of dogs considered to be affected by the violation!)	6) Civil penalties: Not more than \$500 regardless of number of animals involved. The department will make a corrective plan and there is a 15 day compliance period and there will be no more civil penalties imposed during that period. After the compliance period, each day of the violation becomes a separate offense. (page 13 line 5-28)
7) Operating without a license: \$100 per day of violation (less of a penalty than someone operating with a license!)	7) Operating without an authorization: not to exceed \$1,000/day. Each day is considered a separate offense. (page 13 line 29-35)
8) Mandatory vet reporting of abuse, neglect, or torture of animals other than livestock.	8) Language was removed before passage in House. It was also removed before passage in the Senate.

With this information, IaFed hopes everyone will better understand the “win” we are trying for this year at the capitol!---Joe Gerst