

New Proposed Massachusetts Dog Law

This affects everyone in New England

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Here is the info:

<http://www.massfeddogs.org/>

Over View:

SPRINGFIELD, MA - Animal rights advocates in Massachusetts reached into their bag of political dirty tricks last week to pave the way for legislation that would be devastating to dog owners and circumvent public participation in the process.

The legislation, which will be unveiled as House Bill 5092, would:

- Mandate spaying and neutering of all dogs at age 12 months.
- Create \$500 annual "intact permits" for each dog that is not sterilized, if they can meet almost impossible requirements to obtain a permit.
- Essentially eliminate the breeding or keeping of intact dogs that are registered with several major registries, including the Field Dog Stud Book, the American Dog Breeders Association and numerous rare breed organizations. A registry also would have to be specifically approved by each municipality in the state.
- Limit intact permits only to dogs that have the physical appearance of the show dog standard set by the American Kennel Club or the United Kennel Club. Few purebred performance dogs of the sporting or herding breeds physically resemble their show dog counterparts.
- . Grant intact permits to dogs used in competition only if the local municipality approves the dog's registry. To get a permit, a dog owner would have to be a "member" of a registry. Registries do not offer memberships. Registries also would have to have a "code of ethics" that prohibits breeding dogs with "genetic defects." This is not defined and thus is open to interpretation without clear guidelines. Genetic tests are not available for most hereditary problems. No registry can meet this standard, because of potential liability for matings over which they have no control.
- Establish unreasonable nuisance definitions that will give complete discretion to animal control officers to order the seizure, destruction or banishment of a dog for even a single leash law violation, noise complaint or trespass on another person's property. There are no guidelines in the bill. The legislation strictly limits the right of appeal by requiring a dog owner to show that a citation was unreasonable or in bad faith. A magistrate "may" grant a hearing on those grounds only, but is not required to do so. In addition, unlike with other laws, a dog owner cannot appeal the magistrate's ruling to a higher court.
- Ban the tethering of all dogs, except for brief periods.
- Give broad powers to every municipality to ban or restrict specific breeds of dogs, and to seize, ban or kill any dog that can be deemed dangerous simply by briefly chasing another animal (chasing could be construed as an "attack"). There is an appeal to a three-person board of political appointees, including the animal control officer and an "expert" in the field of animals.

- Require anyone who applies for an intact permit to attend training classes on "responsible pet ownership."
- Require anyone who sells a dog or puppy to turn in the names, addresses and phone numbers of each buyer.
- And, impose fines and penalties, including possible imprisonment, for violations.

The American Sporting Dog Alliance urges Massachusetts dog owners to be aware that this is not simply another piece of legislation. Allies of animal rights groups in the Legislature used a legal trick to rush this bill through without the usual requirements for talking testimony from the public or holding public hearings.

Here's how it was done.

HB 1948, which was a reasonable bill aimed at regulating dangerous dogs sponsored by Rep. Brad Hill, had been sent to the Joint Municipalities Committee and sent to a file for "study." That usually means the legislation is dead for the current session. But the committee brought back the bill, gutted it and replaced it with HB 5092. This new bill contains the requirements described above. In turn, on Sept. 8, this completely rewritten bill was sent to the House Steering, Policy, and Scheduling Committee, which schedules legislation for a vote of the full House.

The House Steering, Policy, and Scheduling Committee can send HB 5092 to the House floor for a vote at anytime, with no advance notice required. This procedural move eliminates requirements for a committee vote on the bill or for a public hearing.

This process was confirmed on the committee website, under the status of HB 5092. However, the veil of secrecy was intensified because the actual text of the legislation was not provided on the House website. A search yields only the original bill that was sponsored by Rep. Hill.

It is not known if Rep. Hill supports or opposes the gutted and completely revised legislation, or if he played any role in the political chicanery in making the switch. Hill did not respond to inquiries from the American Sporting Dog Alliance.

The American Sporting Dog Alliance is urging all Massachusetts dog owners to immediately take steps to fight against this dangerous and burdensome legislation.

Please read this legislation for yourself. You can see it at:
http://www.akc.org/pdfs/canine_legislation/MA_ht05092_3.pdf .

The first step to fight this legislation is to ask the members of the House Steering, Policy, and Scheduling Committee to refuse to send HB 5092 to the House floor for a vote. Please emphasize that the text of the legislation has been completely changed, and that no opportunity has been given for public participation on the new legislation.

Here is contact information for each member of the committee:

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Although emails usually are the least effective way to communicate with legislators, we suggest starting with an email in this case because this legislation may be moved very

quickly. However, we also ask you to fax, send a letter or phone in addition to sending an email.

We also are asking Massachusetts residents to contact their own state representatives and senators.

Here is a link for the representatives:

<http://www.mass.gov/legis/memmenuh.htm>.

Here is a link for the senators:

<http://www.mass.gov/legis/memmenus.htm>.

The American Sporting Dog Alliance is starting to see a pattern in anti-dog-owner legislation that is being unveiled this summer, and the Massachusetts bill fits this pattern.

Legislation is being promoted vigorously by the radical Humane Society of the United States (HSUS) in states that the polls indicate are likely to be won by Barrack Obama in the November presidential election. The list includes Illinois, Indiana, Michigan, Wisconsin, Pennsylvania and now Massachusetts.

Regardless of the outcome nationally, an Obama victory in those states would carry many liberal Democratic state senators and legislators into office on his coattails. Liberal Democrats tend to be the major supporters of animal rights legislation. The likely goal of HSUS is to help liberal Democrats capture or hold onto control of state legislatures in Obama-leaning states.

We can speculate that HSUS might be offering political support in return for “yes” votes on animal rights legislation, or commitments by candidates to support similar legislation next year. Obama supported animal rights legislation during the primary campaign, but has been silent on this issue in recent months.

HSUS is a radical animal rights group that is working to reduce and ultimately eliminate the private ownership of animals in America. HSUS does not operate animal shelters and has no relationship with local “humane societies” that actually help animals. HSUS is a political organization in the animal rights movement.

The American Sporting Dog Alliance represents owners, breeders and professionals who work with breeds of dogs that are used for hunting. We welcome people who work with other breeds, too, as legislative issues affect all of us. We are a grassroots movement working to protect the rights of dog owners, and to assure that the traditional relationships between dogs and humans maintains its rightful place in American society and life.

The American Sporting Dog Alliance also needs your help so that we can continue to work to protect the rights of dog owners. Your membership, participation and support are truly essential to the success of our mission. We are funded solely by the donations of our members, and maintain strict independence.

Please visit us on the web at

<http://www.americansportingdogalliance.org>.

Our email is

<mailto:ASDA@40csonline.net>

Complete directions to join by mail or online are found at the bottom left of each page.

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