



## Memo: All Texas state legislators



**From:** *Responsible Pet Owners Alliance*

**Contact:** *Mary Beth Duerler, Executive Director, [rpoa@texas.net](mailto:rpoa@texas.net)*

**March 13, 2013**

**Re:** *The misnamed "Puppy Mill Bill" HB 1451 passed last session.*

*This bill was passed with a fiscal note projecting 1,000 Licensed Dog and Cat Breeders, who would cover ALL costs for administration and enforcement by Texas Department of Licensing and Regulation (TDLR) with inspection and license fees, and fines. It was projected to have no fiscal impact to state budget.*

*There are presently 149 Licensed Breeders and 15 of those were USDA licensed before passage. Texas is not a "Puppy Mill" state as the extremists claimed and it is ludicrous to waste our tax dollars at a time when all state governments face budget constraints.*

### **Responsible Pet Owners Alliance's actions to date and for the future:**

- **Lawsuit filed in Austin Federal Court** was recently dismissed without prejudice by Judge James Nowlin. Judge Nowlin informed the court that he had lunch last week with his close friend Rep. Senfronia Thompson, HB 1451 sponsor, but assured everyone that would not affect his decision.
- **We prepared our own High Volume Dog & Cat Breeder Bill** to "repeal and replace" HB 1451. We received news several days ago that the legislator committed to carrying the bill for us changed his mind at the last minute -- due to pressure from his committee members who don't want to touch our bill. But we do understand their reticence as last session was traumatic for us also.
- **A year ago, Oklahoma legislators voted to "repeal and replace" their onerous HSUS legislation** to regulate dog and cat breeders by a nearly unanimous vote. We are not opposed to all regulations but oppose regulations with a radical "animal rights" agenda to shut down all breeding and sales of purebred dogs and cats in Texas. The loss of bloodlines and gene pools of working dog breeds and show dogs will be lost forever as USDA regulations are impossible to meet in a home setting as required in HB 1451.
- **Dog show breeders have been excluded from the exemptions for "performance dogs"** by TDLR attorney Charles Johnson, who also ruled that all the exemptions for working dog breeds are "self executing" – meaning breeders do not file for the exemptions but must document their dog's participation in events when a complaint is filed. It's not a blanket dog breeder exemption but only per animal and per litter. "Animal Rights" extremists guarantee many complaints will be filed! Cat Show breeders were never exempted in the bill.
- **We are in the process of filing a new lawsuit in Texas court on constitutional claims** (although we had several options to choose from). Enclosed is a double sided flyer with information on HB 1451 which gives a whole new meaning to "government intrusion."

**Enclosed is an email from Dr. Lori Teller, DVM**, which was written when she resigned in frustration from the TDLR Breeder Advisory Committee. She sums it up well -- after we spent a year of stressful TDLR meetings conducted to write the rules for the administration and enforcement of HB 1451. The bill itself was only the beginning.

**The Breeder Advisory Committee Meetings were indescribable, with HSUS and THLN leaders at every meeting**, demanding “stronger” regulations than the USDA regulations already required in the bill. They won’t be satisfied until every breeder in the state is shut down. Robert “Skip” Trimble was even giving hand signals to THLN’s allies on the committee! The TDLR Penalty Matrix for violations still awaits approval as the “animal rights” extremists objected vociferously at the last meeting, complaining that the proposed fines are not high enough. TDLR hasn’t scheduled them for approval yet.

**We ask that you consider our requests below re HB 1451:**

- **Submit our enclosed bill draft as Emergency Legislation to both houses. The state can’t afford this needless expenditure. It appears the rules can be waived at will by legislators.**
- **Or address this onerous unconstitutional law through any other available options because it cannot meet the mandates in HB 1451. Then continue to enforce the Texas Animal Cruelty law, one of the strongest in the U.S.**

**Responsible Pet Owners Alliance** was founded more than 20 years ago as the Texas American Kennel Club (AKC) state federation. We represent 305 AKC clubs in Texas, but receive no funding from AKC and do not speak for AKC. As a grassroots group, we quickly expanded to include all registries for dogs, cats, sporting dog groups, “John Q” pet owners, owners of service/therapy dogs, etc. and developed a statewide All Species Rescue Program for unwanted purebred pets. Our Pet Care Hotline (Dial 210-PET-CARE) is the only such assistance resource in the state.

**AKC is a special target for HSUS, PETA, ASPCA and friends**, hoping to topple the primary opposition to their radical agenda to stop all breeding, use, and sales of purebred animals.

**Every year HSUS launches a malicious libelous media campaign on AKC during the prestigious Westminster Kennel Club Show held in New York.** The extremists claim “better dead than bred” and this year a lovely Samoyed named “Cruz” died with symptoms that strongly resembled rat poison, the veterinarian who treated him said. The handler was with Cruz at all times except for a brief time while “benched” at the show, but one passerby had previously given him a scowl of disapproval and disparaging comments. Cruz’s death is definitely suspect.

**Our animal expertise is offered as an all volunteer public service and our love for our animals is stronger than any “animal rights” extremists’ emotions.** We participate in many nationally sponsored competitions and sports in Texas and all over the country. We “do things” with our animals -- they are our life, our family, our constant companions and our passion! Some folks go hunting, fishing, or play golf on weekends. Some folks also compete in dog and cat shows and other competitive events every weekend! A very expensive hobby, we might add!

**If HSUS continues to have their way, there will be no purebred dogs and cats to enter the competitions and a great loss to the general public of well bred and well socialized healthy family pets.** There will be an end eventually to the sterilized animals adopted from animal shelters. There’s already a shortage in the Northeastern states. Please don’t let it happen in Texas!