



**ABOUT THE
ENDANGERED
BREEDS
ASSOCIATION**

(EBA) is a non-profit organization founded in 1980 for the purpose of preserving the American Pit Bull Terrier. Our goals are public education, media monitoring, legislative lobbying, and legal intervention to protect responsible owners from breed-specific legislation and unfair harassment by public offi-

cial or agencies. We oppose animal abuse or any illegal activities with animals. Membership is \$10-single \$15-family per year with members receiving four newsletters a year. Canadian and overseas members please send US Dollars money orders only. All memberships expire Dec. 31 of each year.

EBA MEMBERSHIP APPLICATION
(PLEASE PRINT CLEARLY!)

Name (s) _____ Occupation _____
 Address _____ City _____ State _____ Zip _____
 Phone (Home) _____ (Work) _____
 Membership type: New _____ Renew _____ Single _____ Family _____

Please make check or money order payable to the Endangered Breeds Association and mail to:
 Jean Carpenter, P.O. Box 1180, Albany, LA 70711

ENDANGERED BREEDS ASSOCIATION
 Jean Carpenter
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 Albany, LA 70711

Bulldog Banter



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EBA board meets at ADBA convention

Jean Carpenter, president of Endangered Breeds Association for more than 15 years, stepped down from her post during the recent semi-annual meeting. The action came during the recent American Dog Breeders Association convention in Las Vegas, Nev., on March 8, 2003.

Colleen Hill, vice president for several years, moved up to the position of president.

The board approved this and other officer changes. Gary Hammonds will become vice president; Jean Carpenter moves to secretary; Doris Hutson will assist with the newsletter; and Joan

Morrison remains as treasurer.

The board voted to retain the 100 Club program as an incentive for membership, which continues to grow.

Board members also discussed the need for EBA representatives in areas. All ADBA-sanctioned clubs were asked to volunteer possible representatives.

Positive reports were heard concerning New Jersey and Ohio legislative actions. However, the battle to bring non breed-specific legislation in these areas is far from over. Money, as well as support, will continue until success has been achieved.

In appreciation and gratitude for

the countless hours of work by Jean Carpenter, Colleen Hill presented "Miss Jean" with a gift on behalf of the board.

EBA members also were presented jackets for outstanding work, with awards going to Linda Emmert, Doris Hutson, Harry George, Beth O'Neal and Tyra Riggs. Ed Hinkle was recognized for his contribution to the New Jersey action. Rich Issel of Delaware Valley Pit Bull Club reported on the progress the club is having with the legislative action in New Jersey. Harry George gave an update on the Ohio action.

Airlines prohibit transport of certain breeds

By Marshall H. Tanick from Dog World May 2003

Before you dust off that crate and get ready to fly your dog to a show in another state, check canine transportation rules with your airline. Breed-specific laws have plagued dog owners for some time, and today these laws have taken a new direction because airlines prohibit the transport of certain breeds.

Laws restricting or prohibiting ownership of specific breeds of dogs began cropping up in the 1970s. They were directed against particular breeds that were deemed inherently more dangerous than others.

Targets of these measures have varied over the years but tended to be aimed at larger or more aggressive

breeds, including German Shepherd Dogs, Doberman Pinchers, and Rottweilers. Most often they have been aimed at Staffordshire Terriers and other forms of so-called "pit bulls."

These breed-specific laws impose limitations on these dogs and their owners. The restrictions, usually imposed at county or municipal levels, range from requiring signature to high bonds or insurance coverage to outright bans.

Breed-specific laws have taken many forms. One of them is state legislation that proscribes local courts of government from enacting their own breed-specific laws, a process that has been allowed in about a dozen jurisdictions, including high-population states such as Texas and New York, and

less populous ones such as Minnesota.

In Pennsylvania, Rhode Island, Connecticut, and Washington, the statewide pre-emptive law extends to insurance companies, which are banned from denying homeowners insurance because of the presence in the household of particular breeds of dogs.

Achieving pre-emption legislation of this type is often time-consuming, contentious, and difficult; even when enacted, it is not a panacea. In some states with pre-emption laws, municipalities have passed breed-specific bans. In some instances, costly litigation challenged these municipal measures.

The latest development in the breed
See AIRLINES on Page 2

All memberships are due Jan. 1 of each year unless multi years are paid.



BULLDOG BANTER

Colleen Hill,
Editor

P.O. Box 879
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The Bulldog Banter welcomes articles, news clippings, letters and other comments from its readers. The editor reserves the right to edit submissions as needed. All letters for publication must be signed.

Material in the Bulldog Banter may be reproduced, but please credit the Bulldog Banter as the source.

To subscribe to the Bulldog Banter, please see the EBA Membership application on the back page.

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Endangered Breeds Association
www.endangeredbreedsassociation.org

American Kennel Club
www.akc.org

Responsible Pet Owners Alliance
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Rott-N-Chatter Breed Specific Law List
<http://www.rot-n-chatter.com/rottweilers/laws/breedspecific.html>

WE WANT TO MEET YOUR PET!

E-mail your photograph to vickyholland@mac.com and we will print it in the next issue of Bulldog Banter. Include caption. NO SALES.

* Attention Steph who sent photo of yourself with white bulldog: Please send information such as name of bulldog, your full name and hometown, and we will print it.

Airlines

Continued from Page 1
ban battles has shifted to the air, distressing many dog owners. Last summer American Airlines began prohibiting the shipment of Rottweilers, Doberman Pinchers, "pit bulls," and any mixed breeds containing one of these types. Continental Airlines also had similar prohibition.

The antipathy reflected in these proscriptions is troublesome to many in the canine community. The bans impose severe impediments on those flying to dog shows, obedience and training personnel, and dog owners traveling to visit family or friends, or on vacation.

Legal challenges to these airline practices are daunting. State pre-emption laws generally extend only to governmental bodies, not private companies such as airline carriers. Even if the laws could be stretched to cover them, such an extension may not be valid.

The courts have often ruled that because of this interstate character, the aviation industry is immune from many local laws and regulations that would impede this operation between states. This principle may preclude effective legal challenges to airline breed bans on grounds that federal policy pre-empts state and local regulatory measures.

Some state and local measures that impact the airlines have been upheld if the laws validate an important public policy and do not unduly interfere

with national transportation. Whether a statewide breed-specific law satisfies this standard remains to be seen.

Any breed ban legal challenge has to overcome a federal law that allows carriers to refuse to transport property they deem "inimical to safety." The law seems to require a case-by-case determination rather than a generic approach that fails to take into account the specific behavior of a particular dog.

In light of heightened concerns about airline safety, the carriers argue that they need broad discretion in devising their own canine cargo policies.

Persuasion, rather than litigation, is likely to be a major factor in addressing these concerns. The airlines are not impervious to the views of the public, especially ticket-purchasing passengers. They can assert their economic leverage in urging airlines to re-evaluate their anti-dog policies.

Communications directed to officials responsible for these practices may be the most effective way to bring about policies that balance safety with the legitimate needs of individuals who travel with their dogs.

Marshall H. Tanick is an attorney with the law firm of Mansfield, Tanick & Cohen, PA, in Minneapolis and St. Paul, Minn. He is national counsel for the American Dog Owners Association, and represents dog owners and dog-related organizations.

AKC Canine Legislation Roundup

If you're following legislation in states other than your own, don't forget to check with the state or local federation of dog clubs or the AKC to coordinate efforts supporting or opposing a measure. You may need to know about amendments or other strategies local fanciers are working on before you contact legislators or send out information to fellow fanciers. Coordinating our messages will help all of us achieve greater success.



Personal experience in dealing with adoption

By Colleen Hill

My house sits on two acres. My "back yard" is fenced with 6-foot chain link. I have a 6-foot kennel pen within the fenced backyard. My kennels have nine pens that are 6x15 feet and a "maternity" pen that is 12 x 15 feet.

The kennels are on a concrete slab with a sidewalk in the front that is also fenced to assist with keeping dogs from escaping when gates are opened. Each pen is separated with 2-foot concrete block walls with 4-foot double fencing on top of the walls. I like the blocked wall on the bottom as it assists with eliminating cross contamination of diseases, etc. from pen to pen.

I have chains and runners around various areas on these two acres and each dog has its own spot. There are lots of trees to provide shade and lots of faucets in the yard to ease the job of providing fresh water on a daily basis. My kennels were built when septic tanks were used rather than treatment plants and my kennel has its own system. I have nine American Pit Bull Terriers of various ages; four Patterdale Terriers; one French Bull Dog; and a cat. The "Frenchie" stays in the house. The cat comes and goes in the house. And the American Pit Bull Terriers get their turn, on occasion, one at a time, as well as the Patterdales. I feel the more they are exposed to, the better the chance for a well-rounded animal.

My daughter, who is 9 years old, watches the movie "Lilo and Stitch" quite often and decided that she had to have a new buddy. For those of you unfamiliar with the movie, Lilo is a little girl who wanted a buddy and adopted Stitch from a local shelter. Stitch is an alien creature with an adventurous personality. My experience reveals the "alien creature" as the lady interviewing me for a dog I was going to adopt.

Jean Marie Hill persuades me to

take her to "Pet Smart" (in Louisiana) on adoption day to look at dogs. She wanted a small dog to keep in her room for her buddy. "Pet Smart" allows you to bring your dog and we brought Boudreau, the Frenchie, to assist with the selection since he would have to "live" with Jean's selection, too. After going to two stores, we found the perfect buddy, a small, short haired, 2-year-old female, mixed breed already spayed, that Boudreau got along with. Comments on the crate included "good with children, no health problems." My vision was for the dog to have the backyard for exercise and a play area for her and Jean, and possibly Boudreau, if he was willing to accept her. Jean would crate her in her own room and we would go from there. I'd take her to the vet on the way home, just to have a complete check up.

Next was completing the application. The organization involved in adoption was CAWS. I have donated to this organization in the past and felt they tried to provide care for animals in shelters. The application was quite lengthy and seemed to have the dog's interest and well being as its goal. I had questions that I wanted answered before completing the application and waited in line to talk with the representative.

I explained to the representative my intentions for the dog's adoption - to become my daughter's buddy; that the dog would live in the house and have a nice area outside. She took my half filled application and was appalled that I already had too many dogs. How could I possibly give that many dogs the love and attention that they need and how could I afford heartworm preventative for that many dogs? How could I show dogs that were housed on chains? They could never be shown if housed on chains, and I was making

those pit bull dogs mean; and did I have a kennel license? Why did I want to adopt a dog for a child when the owners gave up the dog because it couldn't get along with children? I pointed out the comments on the crate of the dog that stated that the dog was good with children. She changed her statement to the dog didn't get along with children from outside the home and again declared I was making those pit bull dogs mean by being on any sort of chain; turned to my daughter and asked, "How would you like to be tied to a chain?" Then, she rejected my application for adoption and sent us away with my daughter crying.

During this whole ordeal, Boudreau was sitting proudly in my lap being a very good dog. We went back to the crate because we had left the collar and lead we had brought with us next to the crate, only to find the articles missing.

The representative assumed many things about me as a dog owner. She didn't even ask me which dogs I had "chained". She had no regard for the plans I had for the new addition of the family and assumed that my dogs were not cared for properly. When I told her of the type of kennel license I had, she said it was not a proper license. It may not have been in the city where she was from, but it is what is required in my parish. To involve my child and belittle her was not necessary. The representative was biased and in no way acted on behalf of the organization.

People such as the lady I had to deal with in trying to adopt my daughter a buddy are prime examples of the type of people that need education. She was definitely a challenge and I failed to convince her that she was being biased. I did manage to obtain my daughter a buddy. Her new buddy is a female guinea pig named "Lilo" and she loves her very much!



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Friendlier Skies for Fanciers

The AKC and the purebred dog fancy scored another major victory on February 15th when United Airlines announced it would lift its restrictions on shipping dogs as excess baggage, effective immediately. Dog owners who choose United will now be able to ship their animals unaccompanied as cargo, travel with them as excess baggage, or carry them on in the cabin if they fit under the seat.

Since United Airlines first began the embargo in June 2000, AKC has worked diligently to oppose the restriction at many levels. In addition to publicizing our position through articles, Web postings and booth fliers, AKC initiated a letter-writing campaign to the carrier. Thousands of fanciers heeded AKC's call and urged the airline to remove the restrictions. AKC President Al Cheauré also contacted United to express dog owners' concerns.

These letters undoubtedly played a significant role in the airline's decision to reverse the baggage policy, and we extend our appreciation to all those who took the

time to send letters and e-mail messages on the issue.

While United's policy change is certainly good news, dog owners still face concerns when it comes to traveling their dogs by air. First, American Airlines has refused to rescind its discriminatory ban on shipping Rottweilers, Doberman Pinschers, American Staffordshire Terriers, Bull Terriers, American Pit Bull Terriers and any dogs containing a mix of those breeds. Second, fanciers are still awaiting word from the Department of Transportation (DOT) following a public comment period on proposed federal regulations on shipping animals.

As written, the proposal is so broad that it would be almost impossible for airlines to implement, and carriers who choose to transport animals would incur substantial increased costs that would trickle down to the shipping public.

The AKC continues to work with the Air Transportation Authority and members of Congress to find a reasonable compromise on these issues.

Donations welcome

Endangered Breeds Association would like to thank those who made donations during 2002. They included:

- Michael Carter, Newark, DE
- John and Denise Boos, Lakeville, MN
- S. Carkner and J. Zubatak, Chesterville, Ontario
- Southeastern American Pit Bull Club (North Carolina) and Rude Dawg Kennels (special presentation)
- S. Pomeranke and R. Joch, Hortonville, WI
- Russ and Kim Krohn, Blue Springs, MO

Keith Gray and family, Scranton, OH
 Walter Greer, Arlington, TX
 Brad and Batty Bullock, Riverton, UT
 American Dog Breeders on behalf of

customers who have included donations with registration fees

- New Century Ohio Pit Bull Club
- Razz and Ginny Allen, Slidell, LA
- Kevin West, Clinton, LA
- Peter Dishuk, Bronx, NY
- Francisco Lopez, Texas (donation of \$50 for each puppy sold)
- Kenneth Holcomb, Griffin, GA
- Evergreen State Pit Bull Club, Washington
- American Dog Breeders (earmarked funds for Ohio)
- Great Lakes Pit Bull Club

If anyone was overlooked, we apologize. It sometimes is not clear if additional funds sent with memberships are for multi-year memberships or donations.



**ENDANGERED BREEDS ASSOCIATION
 FINANCIAL REPORT 2002**

START BALANCE	\$45,066.03
INCOME	\$24,501.17
This includes the following:	
Interest from CD	
Memberships, show receipts,	
Donations, cookbook money	
BALANCE	\$69,567.20
EXPENSES	\$11,948.53
Newsletter prep and printing	
Stamps and other postage fees	
Hot check fees for (Tasha Richardson, Crittenden, KY; Rondall Colemon, College Station, TX; James Carroll, Godfrey, TX.)	
Banking supplies	
Internet expenses for Jean Carpenter, Colleen Hill, Joan Morrison — these board members must have Internet for Newsletter and Web page purposes)	
Office supplies	
Web page registration and fees	
Travel expenses for President Jean Carpenter and winner of trip to convention	
Whitesboro, TX case (Johnsons)	
New EBA booklets	
BALANCE 12-31-2002	\$57,618.67
VALUE OF CERTIFICATE OF DEPOSIT	\$50,652.27

There were no donations to EBA during 2002 for obedience awards

Income from CD was \$944.46
 Income from donations was \$5,204.21 which includes \$1,500 from ADBA earmarked for Ohio
 Income from cookbook sales was \$390
 Income from ADBSI shows was \$13,184.50

There are 495 memberships. Some of the members are lifetime and multi-year members.

CD interest rate began year at 2.23 percent for deposit of \$92.92 into checking account; decreased to 1.39 percent June 1 for deposit of \$57.90 into checking account; then increased to 1.59 percent Nov. 1 for deposit of \$66.23 into checking account. Deposits of interest made monthly into checking.

Check your mail labels

When your Banter arrives, please check your mail label. You will find your address and the final line is the expiration date of your membership.

If you feel there is an error, please contact Joan Morrison via email at morrisons@mynewroads.com, or by phone at 918-487-5798.

**Visit the OFFICIAL
 EBA Web site**

If you haven't found your way through cyber space to the "official" EBA Web site, please do so. It can be found at www.endangeredbreedsassociation.org

At this site, you will find several areas of useful information, such as ready-to-use letters which can be sent to city or state representatives in dealing with breed-specific legislation; a financial report; a coloring book for the kids which can be downloaded; previous newsletters; and links to board members as well as information about many of the board members.

Come visit and see what you've been missing!

**Raffle/auction
 a great success**

Auctioneer and vice president Gary Hammonds led the annual auction/raffle at the hospitality time during the convention. Thanks to all who donated articles.

EBA passed the goal by collecting more than \$1,000! All proceeds will be given to the New Jersey club to continue its work with non breed-specific legislation.



Around the nation: Legislation that affects you

CONNECTICUT - H5296 was introduced by Rep. Carl Dickman. The bill requires a hearing be held to determine whether the restraint of a biting or attacking dog is sufficient. H5296 was referred to the Joint Committee on Environment. One week after filing H5296, Rep. Dickman introduced H6061, which was referred to the same committee. H6061 contains the same language as the first bill but amends a different chapter of the state's general statutes.

- The Joint Committee on Environment introduced H6366 in January. The bill would allow the Commissioner of Agriculture to inspect "animal welfare shelters," which includes individuals and groups participating in rescue. The commissioner may order shelters to improve conditions he or she feels are unsanitary and could ultimately order the shelter to close if conditions do not improve.

DELAWARE - Sponsored by Sen. Steven Amick, S29 prohibits the transport of dogs in an unenclosed area of a truck. First offenses will result in a fine of \$25-\$155. Subsequent offenses within a 12-month period will carry fines of \$57.50-\$230. S29 was referred to the Senate Committee on Agriculture.

HAWAII - Rep. Michael Magaoay is sponsoring H148, which would expand the state's dangerous dog law. The bill defines dangerous dog as one that "without provocation, attacks a person or animal or behaves in a manner that a reasonable person would believe poses an imminent threat of

bodily injury to people, or serious injury or death to a domestic animal." Owners of dogs deemed dangerous would be required to microchip their pets and keep them leashed whenever in public. If owners allow their dangerous dogs to roam, they will receive a warning. A second offense requires that the dog be impounded until a court hearing, and owners must obtain \$100,000 liability insurance or euthanize the dog. Owners will face a jail sentence of 10-30 days if their loose dog bites and injures someone. H148 was referred to the House Committee on Judiciary. S1680, Sen. Shan Tsutsui's companion bill, was referred to the Senate Committee on Water, Land and Agriculture.

- Rep. David Pendleton is sponsoring legislation to establish procedures and requirements to allow the entry of dogs, cats and other carnivores into the state without quarantine. Animals must be microchipped and have a valid health certificate no more than two weeks old stating that they have been vaccinated against rabies and other diseases. H664 was referred to the House Committee on Agriculture. Sen. Fred Hemmings introduced a companion bill, S1175, in the Senate. It was referred to both the Committee on Water, Land, and Agriculture, and the Committee on Transportation, Military Affairs and Government Operations. AKC sent letters of support to appropriate lawmakers.

ILLINOIS - Introduced by Rep. Gary Hannig, H1259 would amend the state's dangerous dog bill to permit municipalities to enact dangerous dog

ordinances that are stronger than that of the state. However, according to current state law, cities and towns cannot enact breed-specific laws. H1259 was referred to the House Committee on Local Government.

INDIANA - H1882 was introduced by Rep. Matt Pierce in January. A companion to S190, the bill specifies that an owner can be held civilly and criminally liable if his dog attacks someone, even if the attack takes place on the owner's property. While the AKC understands that certain individuals such as meter readers and postal workers must enter private property to perform their duties and should be protected, we have concerns with a vague provision that protects victims who "reasonably believe they are permitted to enter the dog owner's property." H1882 was referred to the House Committee on Judiciary.

IOWA - Davenport fanciers were quick to contact the AKC when a second dog attack in six months prompted Aldermen to propose a breed-specific law. The Canine Legislation department, which had contacted local legislators when concerns first arose last September, sent talking points and information packets to dog owners. Fortunately, the Board of Aldermen listened to AKC and fanciers' arguments and agreed to drop breed-specific proposals in favor of strengthening enforcement of existing laws. Congratulations!

- When West Bend fanciers learned their officials were considering a breed-

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Legislation

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be held responsible.

VIRGINIA - H1861 was slightly amended in committee and engrossed by the House in January. The bill now raises the minimum liability insurance requirement for owners of dangerous dogs to \$100,000, but it gives municipalities the choice of whether to enact this particular provision. The amended version of H1861 still adds animal control officers' previous findings to the list of factors in determining whether a "dangerous" dog is, in fact, "vicious." It also removes the cap on the mandatory fee for dangerous dogs in municipalities that have enacted such an ordinance.

WASHINGTON - Rep. Michael Carrell introduced H1257 in January. The bill expands the state's dog fighting law to include the sale or purchase of a dog for that purpose. It also adds the directive that mere ownership or possession of an animal should not create a presumption that the animal is used for fighting.

- Rep. William Grant's H1400 would permit local sheriffs to kill potentially dangerous, "marauding" or stray dogs that have no visible identifi-

cation and are threatening to attack. The vaguely worded bill does not outline how an official will identify a dog as potentially dangerous or "marauding," nor does it account for the use of microchip or tattoo as a means of less visible identification. Thus an officer could mistakenly kill any dog he or she believes might attack. H1400 is now with the House Committee on Judiciary.

- Seattle fanciers were no doubt disappointed when the City Council voted not to expand off-leash areas at Westcrest Park. Dog owners contend that the forest trail in question was part of the original plans for the off-leash park when it was approved several years ago. However, environmentalists successfully argued that loose dogs would trample vegetation and scare wildlife.

- Addition from EBA Board Member Joel Halverson: The town of Algona, Washington repealed its breed-specific legislation after local owners, and Glen Buie from Washington Animal Federation, presented them with a dangerous dog law that Tukwila, Wash. had recently passed. The BSL was approximately 15 years old.

WEST VIRGINIA - H2753 makes it a felony to be knowingly involved in

an animal fighting venture. Those convicted of organizing a fight or owning fighting dogs or training equipment could now be guilty of a felony. Penalties would include fines of \$1,000-\$5,000 and a jail term of 1-5 years. Sponsored by Delegate John Overington, H2753 was referred to the House Committee on Judiciary.

WYOMING - Sponsored by Senator Henry Coe, S125 would increase the penalty for cruelty to animals to a felony if the act results in the death of the animal. Violators could receive up to 5 years in prison and a \$10,000 fine. Wyoming's definition of cruelty does include "intent to cause injury," which protects people who did not purposely harm an animal. The Senate Appropriations Committee unanimously approved S125 in February, but a similar bill failed in the House Judiciary Committee. H113, "Dexter's Bill," would have created a felony for aggravated cruelty, with penalties of up to five years in prison and/or a \$5000 fine.

Questions regarding "Legislation Around the Nation?" Please contact the Canine Legislation Department for more information regarding bills and ordinances for which no Liaison name or number has been provided.

And the Award Goes To . . .

The award could go to you or your AKC-affiliated club or federation! The American Kennel Club recognizes the efforts of our hard-working Legislative Liaisons and Public Education Coordinators with the Community Achievement Award. Awards are grant-

ed quarterly, and honorees receive a certificate of recognition and \$1,000 to further canine legislation and public education efforts within their communities. We know there are lots of deserving folks out there, but we need to hear from you! Nomination forms

are available on AKC's Web site, www.akc.org, or you can contact our Public Education department for more information (919-816-3712, publiced@akc.org.) Don't wait--nominate your club, federation, fellow member or even yourself today. You deserve it!



Legislation

Continued from Page 4

specific ordinance, they promptly contacted the AKC for help. Armed with information packets and a statement from the Canine Legislation department, fanciers met with city council members and convinced them to review a more reasonable, enforceable dangerous dog law. The fight is not over, but residents are hopeful they will be able to avoid legislation that targets specific breeds.

LOUISIANA – From EBA board member Doris Hutson: HB 106 will authorize law enforcement officers and animal control officers to seize any dog that causes the death or inflicts serious bodily injury on human beings. It authorizes the euthanizing of those dogs following a court determination.

MARYLAND - Delegate Charles Boutin is sponsoring H624, which would make it illegal to stage a dog fight and to own, sell, transport or train dogs to be used in a fight. Possession of dog fighting implements that could be used to train a fighting dog would also be prohibited. The Maryland Dog Federation and AKC are concerned that there is no exemption for those who own such equipment when it is used solely for the purpose of maintaining the animal's health. H624 was referred to the House Committee on Judiciary.

• In a separate matter, the Maryland Dog Federation is soliciting stories from Prince George's County dog owners who have been negatively impacted by the county's breed-specific ordinance. The group will be presenting the information to county officials as part of their effort to repeal the breed ban. For more information, contact the Maryland Dog Federation (euniverz@aol.com).

MINNESOTA - Sen. Wesley Skoglund's S126 would make it a gross misdemeanor to own or possess fighting dogs. Evidence of fresh wounds or scars, or training equipment and other paraphernalia, would be used prove that the dog is being used to fight. If owners can prove at a designated hearing that wounds are not the result of fighting, or that training equipment is being used only to maintain the dog's health, they will not be prosecuted. The bill also contains provisions for the seizure and care of animals presumed to be fighting dogs. S126 was referred to Senate Committee on Agriculture, General Legislation and Veterans Affairs. A companion bill, H28, was introduced in the House in January.

NEW HAMPSHIRE - Dog Owners of the Granite State (DOGS) is opposing S79, which would allow any police, animal control or humane society officer to seize a person's animals if they are suspected of cruelty. The owner would be required to post a bond for the animals' care regardless of whether he or she is convicted. The bill gives officers 24 hours before they are required to notify the owner of such seizure and allows them 15 days before they must document the animals' condition. Posting bond does not prevent the police or humane agency from disposing of seized animals if they choose. Sponsored by Senator Roberge, S79 was referred to the Senate Committee on Wildlife and Recreation. A hearing was held in mid-February.

NEW JERSEY - There has been no recent action on Assemblyman John J. Burzichelli's A2906, although New Jersey fanciers continue to press lawmakers to consider responsible owners.

The bill would severely restrict ownership of "pit bulls" including "American Pit Bull Terriers, American Staffordshire Terriers, Staffordshire Bull Terriers, Staffordshire Terriers, and any dog determined to be a pit bull type." The sponsor has stated that he has added Rottweilers, but no official amendment to do so has yet been made. AKC continues to work with the New Jersey Federation of Dog Clubs and additional dog owners to oppose the bill. New Jersey dog owners who have not already done so are encouraged to contact their assemblymen immediately to express their concerns over the bill.

A2906 Requires:

- A special license for all "pit bulls" (\$150-700)
- A municipality may require anyone who owns a dog to prove that it is not a pit bull (A municipality will visually inspect the dog to determine whether it is a pit bull). Very few municipalities have staff with any breed identification knowledge or experience.
- Confinement in permanent enclosure (including a secure pen and a 6-ft. fence).

• Pit Bulls must be muzzled when off owner's property and leashed with a tether not more than 3-feet long. The tether must be approved by an animal control officer.

- The municipality must inspect the enclosure and the licensee's property at least monthly.
- Liability insurance.
- Violators will be subject to fines of up to \$1000 per day.

Banter Editor's note: Delaware Valley Pit Bull Club, staunchly leads the fight with Maureen Reynolds and Rish Issel in charge. EBA has contributed funds for this fight which appears to be turning in favor of dog

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Legislation

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NEW MEXICO - Sponsored by Rep. Joseph Thompson, H19 establishes the crime of animal hoarder. The bill defines "hoarder" as one who possess over 15 animals and fails to provide adequate nutrition, shelter and veterinary care. Animal control officers would be permitted to seize animals they feel are victims of hoarding until a court hearing can be held to determine the owner's guilt or innocence. New Mexico fanciers are extremely concerned about H19 and the fact that anyone who owns more than 15 animals could have them seized under the presumption that they are a "hoarder." The bill was amended and passed by the House Committee on Agriculture and Water Resources, but the new language is not available as this newsletter goes to press. For more information, contact Norm Wilson (105645.2271@compuserve.com).

• In January, the AKC learned that Kirtland Air Force Base had banned "Rottweilers, 'pit bulls,' and other breeds considered aggressive." The Canine Legislation department sent a statement of opposition and an information packet to the base commander, urging her to reconsider the issue.

NEW YORK - S2571 creates a state registry for dangerous dogs. Introduced by Assemblyman Steve Levy, the bill requires owners of such dogs to pay a registration fee and obtain \$1 million in liability insurance. S2571 also increases the penalties for owners who allow their dangerous dogs to bite or attack. If the dog causes serious injury, the owner will face a fine of \$2,000-\$5,000. If a person is killed by a dog that was previously declared dangerous, the owner could be convicted of a

Class D felony. According to New York state law, a "dangerous dog" is defined as "any dog which (a) without justification attacks a person and causes physical injury or death, or (b) poses a serious and unjustified imminent threat of harm to one or more persons, or (c) without justification attacks a service dog, guide dog or hearing dog and causes physical injury or death."

• Complicating the dangerous dog issue further, Sen. Brown's S1314 would amend that definition to include a dog that attacks and injures a domesticated dog or cat without provocation, as long as the victim animal was not trespassing. S1314 was referred to the Senate Committee on Consumer Protection.

• Legislation to protect homeowners has been introduced by Assemblyman Anthony Seminero. A3060 would prevent insurance companies from discriminating against homeowners based on the breed of dog they own. It does allow companies to protect themselves from risks incurred by insuring a dog with a bite history. The bill was referred to the Assembly Committee on Insurance. As in years past, AKC will actively support this bill.

• Before fanciers were aware, Schenectady County enacted a resolution declaring "pit bulls" hazardous and requiring municipalities within the county to regulate these dogs or face loss of funding. Cities and towns will now be required to have owners of dangerous dogs show proof of a \$5,000 insurance bond as well as proof that the dogs are properly confined. Otherwise, they will not receive their share of county-collected licensing fees. In response, the Canine Legislation department sent a statement of opposition to members of the county legislature.

• The City of Yonkers is considering amending its current breed-specific ordinance to come into compliance with state law. In February, the Canine Legislation department sent a statement and dangerous dog packet to Yonkers' corporation counsel, who is drafting new legislation.

• In February, the City of Hornell enacted a breed-specific measure without local fanciers' knowledge. The ordinance requires "pit bull" owners (defined as Staffordshire Bull Terriers, American Staffordshire Terriers, American Pit Bull Terriers or any mix of those breeds) to register their dog with the city and obtain \$100,000 liability insurance policy. The Canine Legislation department responded with a statement of opposition to the mayor and common council members.

NORTH CAROLINA - Upon learning that Iredell County was considering revisions to its dangerous dog ordinance, the Canine Legislation department sent information packets to county officials. Local fanciers are urged to monitor the situation and offer input.

RHODE ISLAND - In January, the Supreme Court of Rhode Island rejected a sheriff's argument that a property owner should have known his dog would attack the officer simply because the animal was a "pit bull." The ruling upheld a lower court's decision, stating that the creation of a species-specific standard of care was not an issue the Court should address. The Court also cited lack of proof that the property owners knew the dog was a "pit bull." The defendants were thus entitled to protection under the state's "one-bite rule" that allows a dog on its own property one bite before its owner can

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