



**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 _____

Information packet available (check one) _____ CD for computer _____ Printed material

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, secretary
 P.O. Box 1180
 Albany, LA 70711

Bulldog Banter



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It's time to cast ballots

Vote for EBA board members by Dec. 31

Current federal, state, and local elections have been decided for our communities throughout the United States. We have hopefully elected people who will guide our communities to be prosperous and content for all citizens. We know this does not always happen for everyone when discrimination becomes part of the political agenda.

Knowing your governor or senator is usually common knowledge to most, but knowing your state representative, mayor or council is essential to owners of the American Pit Bull Terrier or other dog breeds. The most common breed specific legislation seems to arise from the local politicians in our communities or state legislatures.

Know your representative. If you feel that person does not represent your right

Mail-in ballot

Check three:

- Harry George, Ohio
- Ed Hinkle, Texas
- Kim Krohn, Missouri
- Sharon Sunday, California

 (member signature)

to own the dog of your choice, vote against them next time. Pass the word around your friends. Now is the perfect time to meet and inquire information from your representative. What is that persons view on the right to own your dog?

Most states now have on-line access to state regulations concerning animals. Locating the current statutes and codes for dog ownership has become easily accessible by

simply using a search term.

Call your local representatives to make sure you are abiding by your local laws. By not breaking the law, you have done nothing wrong. Be a responsible owner. VOTE!

You do have one more chance to vote this year. Three Endangered Breeds Association board positions have expired and need to be elected by the members for the 2004-2005 term. Four nominees have been received. Please select three candidates and return your ballot to our EBA Secretary, Jean Carpenter, P.O. Box 1148, Albany, LA 70711. You can mail this ballot or email your vote by listing the three you want to vote for; send to ebajeanc@aol.com

All voting must be in the hands of Jean Carpenter by Dec. 31, so hurry with your response.

ALL MEMBERSHIPS EXPIRE DEC. 31 UNLESS MULTI-YEARS ARE PAID.



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EBA board meets

Board members of Endangered Breeds Association met during the 2003 Nationals in Norman on Oct. 5.

In addition to announcing those who had been nominated for a board position, members heard a report on breed specific legislation problems in Toledo, Ohio. Harry George of Ohio discussed the case with board members, who also read a letter from Sol Zyndorf, Toledo attorney who is handling the case there.

To date, EBA and American Dog Breeders Association have provided financial aid in the amount of \$5,520. This covers partial attorney fees, witness fees and travel expenses, and other miscellaneous costs.

In Zyndorf's letter, he noted witnesses have included Mary Lee Nhschke, PhD, an expert psychobiologist from Portland, OR; Dr. I. Lehr Brisbin, PhD, an expert of the history and evolution of dogs; a Toledo area veterinarian; Tammy Price, a former dog warden and Humane Society director; and Harry George, who presented the court with a county-by-county statistical report of dog bites.

The case is not over, but Zyndorf is confident the high standard of proof required to declare legislation unconstitutional has been met with rational basis and that the courts should uphold it.

We will keep you posted on the progress.

Pet corner

The is Morris' Big Red, owned by Alfred Morris III of Detroit, Mich.

joan, i have to scan this pic in at work on monday, but you can check everything else, vh



BULLDOG BANTER

Colleen Hill,
Editor

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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.

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ELECTRONIC DIRECTORY

Endangered Breeds Association
www.endangeredbreedsassociation.org

American Kennel Club
www.akc.org

Responsible Pet Owners Alliance
NOAH@express-news.net

Rott-N-Chatter Breed Specific Law List
<http://www.rot-n-chatter.com/rottwelers/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.

NJ federation joins award winners

Congratulations to the New Jersey Federation of Dog Clubs (NJFDC) on being named as a third-quarter Community Achievement Award winner. As an honoree, the federation will receive a certificate and a check for \$1,000 to further promote their legislation and public education efforts. Earlier this year, NJFDC was instrumental in helping to defeat A2906, a bill that would have allowed municipalities to enact breed-specific legislation. Federation members contacted every member of the New Jersey Assembly in opposition to the bill and coordinated a grassroots effort encouraging other dog owners to do the same. Many meet-

ings, letters, and phone calls later, the bill's sponsor withdrew the legislation. The federation continues to monitor and provide support to municipalities on local animal control issues and is trying to pass legislation that would prohibit insurance companies from discriminating against homeowners based on the breed of dog they own.

(Note: Delaware Valley Pit Bull Club and other American Pit Bull owners worked extremely hard on this issue and were assisted by Endangered Breeds Association with financial aid in the amount of \$2,645. American Dog Breeders Association also sent financial aid in the amount of \$1,400.)

Insurance relief for Mich. dog owners

With growing frequency nationwide, families are being forced to give up their canine companions because of skyrocketing homeowners' insurance premiums or companies' outright refusal to cover certain breeds. Dog owners in Michigan may now have some reprieve, however, thanks to an important victory by the Michigan Association for Purebred Dogs.

Troubled by countless stories from owners who were cancelled or denied insurance based on the breed of dog they own, the association contacted Michigan's insurance commissioner earlier this year with their concerns. They encouraged dog owners to report specific incidents to the commissioner and also brought the issue to the attention of several state representatives.

Ironically, this AKC-affiliated federation was in the process of trying to introduce legislation to end such discrimination when the insurance commissioner issued a statement saying that existing law already prohibited such practice.

Released in September by the Office of Insurance and Financial Services, Bulletin 2003-07-INS states that insurance companies who exclude liability coverage due to ownership of a particular breed of dog are in violation of Michigan's Essential Insurance Act. The statement goes on to say that insurers may cancel or deny coverage to owners based on a dog's bite history related to paid claims, but only after written notice to the policy holder and the Office of Financial and Insurance Services.



Legislation

Continued from Page 5

clause would permit current owners to keep their dogs if they register them with the city. Officials are also considering limiting the number of pets one may own. The Canine Legislation department is working with local fanciers and sent a statement of opposition to the city council, along with dangerous dog information packets.

SOUTH CAROLINA — Calling Spartanburg County fanciers! Officials are considering an ordinance requiring permits for "breeding kennels," defined as an establishment kept for the purpose of breeding and selling dogs and cats. Permits range from \$50-\$200, depending on the number of animals kept. Additionally, owners of unaltered animals will be required to pay a \$30 licensing fee per animal per year, while owners of altered animals will only have to pay a \$5 lifetime licensing fee. Finally, the measure proposes higher fees for violations by owners of unaltered animals than for altered. The Canine Legislation department is working with area dog owners and has sent a statement of opposition to the county council members, but much more help is needed! For more information, contact Sandy (dogordinance@cs.com).

TEXAS — Mary Beth Duerler of the Responsible Pet Owners Alliance (RPOA) reports that officials in Round Rock have backed away from a proposed pet limit law. Instead, officials will pursue

stronger enforcement of nuisance laws and better public education about responsible ownership. Both AKC and RPOA supported local dog owners in their efforts to oppose the law. Congratulations to all who contributed to this win!

- In a separate issue, RPOA worked closely with the San Antonio City Council on an amendment to its ban on off-leash dogs in several city parks. The amendment allows organizations that hold events such as agility, obedience and fly ball competitions to be exempt from the law. Dogs were previously allowed off-leash as long as they were under voice command, but several incidents involving loose dogs frightening people prompted the ordinance.

WEST VIRGINIA — A "pit bull" attack in St. Albans promoted the city to once again consider breed-specific legislation. When the issue was first raised two years ago, officials elected to enforce the current dangerous dog law rather than ban specific breeds. The city council listened to citizens' concerns and once again voted against the unfair legislation. Instead, council members will look at strengthening the city's dangerous dog ordinance.

WISCONSIN — Sponsored by Sen. Panzer, S229 holds a dog owner liable for two times the amount of damages caused by the dog only if the animal's bite causes permanent disfigurement and the owner was aware the dog had com-

mitted a similar attack in the past. Current law holds owners liable for that amount regardless of the severity of the attack. S229 also increases the penalty for owners of dogs that injure people, animals, property or birds from \$100 to a maximum of \$2500. If the owner knew the dog had previously committed a similar attack, the penalty rises to a maximum of \$5000. Finally, the bill allows any person to ask the court to order a dog euthanized. Current law only permits the state or a municipality to make such a request. S229 was referred to the Senate Committee on Judiciary, Corrections and Privacy. It is the companion to A423, which was amended in the Assembly. The text of the amendment is not yet available as this newsletter goes to press.

ITALY — In September, the Italian government issued an emergency decree designating 92 breeds of dogs as "restricted." The move came after a series of "pit bull" attacks on the city but targets a broad range of breeds, including St. Bernards, Collies, Corgis, German Shepherds, Newfoundlands, Bull Mastiffs and Dobermans. Owners of the restricted breeds must keep them leashed and muzzled in public and obtain special liability insurance. Minors and criminals are prohibited from owning the animals. The AKC sent materials to its counterpart in Italy (Ente Nazionale Della Cinofilia Italiana or ENCI) to help them fight the new law.



EBA at work in Missouri/Kansas

EBA Board Member Kim Krohn reports issues have been raised in Missouri and Kansas. Her report follows:

SALISBURY, MO — Salisbury is a small town in northern Missouri near the Iowa border. It does not even have a leash law and several residents complained about the proposed BSL and asked for a good leash law instead. The city claimed they did not have the money to enforce a leash law or hire an animal control officer. With BSL they figured they could just have the police enforce the ordinance. One couple complained that a Labrador running at large had torn up the liner in their fishpond and killed some very expensive fish. According to the AKC the BSL passed; however, no one from Salisbury contacted us. We aren't sure what happened. I've emailed the woman who contacted me several times but have received no reply. I suspect that the ordinance is being enforced selectively. I'll continue to try and find out what happened.

LEAWOOD, KS — Leawood, one of the few places in Johnson County, KS without BSL, passed a restrictive ordinance in June or July. A resident saw some "pit bulls" in a neighbor's yard and became concerned. The dogs belonged to an out of town visitor. The city council passed BSL "so residents will feel safe." Leawood is an upscale, primarily white, "old money" suburb of Kansas City, MO that is just across the state line. We did not feel that we would have any luck countering that mentality, as we never have before in Johnson

County. There are currently no "pit bull" licensed with the city of Leawood.

ROELAND PARK, KS — Roeland Park, another suburb that is not quite as exclusive as Leawood, has had BSL since the mid-1980s to late 1980s. A woman with a "pit bull" was working with the city to try and convince them to get rid of their BSL. From the accounts we read in the paper it sounded as though she was doing a good job and we elected to stay out of her efforts. Quite often, those suburbs on the Kansas side get upset when out-of-towners try to tell them what to do. I have not heard the final decision on that effort.

SHAWNEE, KS — Shawnee passed the original BSL in Kansas — an outright ban on "pit bull" in 1984. A family adopted a dog from a rescue organization and then tried to license it with the city as a "pit bull." They were "so busted". A woman with the rescue organization, Casey Martinez, contacted me for advice on legal action. I explained the situation in Kansas — a local lawsuit was filed in an effort to overturn the Shawnee ordinance in the mid-1980s. The ordinance was upheld and the man who filed the lawsuit did not have the money or health to continue an appeals process.

Then, of course, there was the lawsuit against the city of Overland Park and their "restrictive ordinance" BSL. EBA put money in that one. Both the local court and the Kansas Supreme Court upheld the ordinance.

TOPEKA, KS — A young woman, Kathryn Burdine, adopted a dog

from a shelter which was listed as a "Boxer mix." Her rabies certificate says "Boxer mix." The dog was up the street playing with other dogs and was picked up by animal control. She went to the police station to try to get her dog back but was ticketed and her dog impounded and placed on hold as a "pit bull." She was ticketed for no city license, dog running at large and for hot registering her dog as a pit bull. She does not expect help with the charges, but has requested help in getting her dog back from the pound, which refuses (to date) to give the dog back. An attorney, John Harvell, who has worked in Kansas for EBA before, has agreed to take the case should EBA become involved.

OMAHA AND LINCOLN, NB AND IOWA — Just for the record, there has been a lot of talk of possible BSL in the Omaha and Lincoln areas. Jill Morstadt, an English Professor at the University of Nebraska who owns Belgian Tervurens, and whose husband is a police officer, has been working hard in Nebraska to fight BSL. There also has been a lot of activity in neighboring Iowa. I suspect it has something to do with the fact that the HSUS has a regional office in Des Moines, Iowa, which may also account for activity in Nebraska. Some people contacted me last April in regard to potential statewide BSL in Iowa (the bill was eventually changed to something that was potentially worse and affected many breeds). I told them to speak to their state representatives in Des Moines and "follow the money." It probably leads to HSUS's office



Around the nation: *Legislation that affects you*

CALIFORNIA — The Santa Monica City Council is considering amending its animal control ordinance by replacing “owner” with “guardian” or “owner/guardian.” The AKC expressed its opposition in a letter to the mayor and city council. We strongly encourage other local dog owners to follow this example.

- In October, Sacramento enacted a new dangerous dog ordinance requiring owners of such animals to obtain \$100,000 liability insurance, keep the dog muzzled when in public, and create a secure enclosure for their pet. Owners may face fines of up to \$1,000 for violations but will have the opportunity to appeal a dangerous dog determination.

CONNECTICUT — The City of Stafford is currently enforcing a three-pet limit unless one purchases a commercial kennel license. The Canine Legislation department responded to local fanciers’ call for help by providing them with materials and sending a statement of opposition to key city officials.

FLORIDA — City Commissioners in Atlantic Beach have given preliminary approval on amendments to their animal control code. The changes remove the licensing requirement for pets but establish a \$100 registration fee for dangerous dogs, to be renewed each year. Dangerous dog owners must also obtain \$100,000 liability insurance.

Commissioners are also considering sharply increased fines for violations.

ILLINOIS — Attention Chicago dog owners! The city council’s licens-

ing committee may soon consider an ordinance that would:

- Redefine “kennel” as anyone who owns more than 5 unaltered females. The measure would require such individuals to be licensed and inspected at a cost of \$150 annually. All licensees will have to sterilize every dog and cat prior to sale or adoption, and anyone who sells or transfers a dog, even a single pet-owning family, must provide a health certificate with the animal.

- Require licenses for grooming facilities, guard dog services and pet day care facilities.

- Increase the licensing fee to \$50 for each unaltered dog or cat, in contrast to \$10 for spayed and neutered animals.

- Require mandatory sterilization and microchipping of impounded animals prior to releasing them to the owner.

- Maximum fees for violations could reach \$1000.

The ordinance has not been scheduled on the committee’s agenda, but fanciers are encouraged to start mobilizing an opposition campaign for when and if it does.

- With the passage of H184, Madison County is considering revisions to its animal ordinance that will bring it into compliance with the new law. Proposed changes include implementation of a licensing fee, mandatory microchipping for impounded animals, and several amendments to the dangerous dog law. For example, owners of dogs deemed dangerous must muzzle and

leash them in public, and those who violate the law will face stronger penalties, particularly if their dog injures someone. The Canine Legislation department is providing materials and support to local fanciers. For more information, contact Michelle Kasten (mkasten58@aol.com).

INDIANA — Lake County officials are considering a proposal requiring owners of dangerous dogs to obtain \$50,000 liability insurance. Several breeds, including “pit bulls” and Rottweilers, will automatically be deemed vicious. AKC sent a statement of opposition to county commissioners in October.

- In September, the state’s Supreme Court ruled that postal carriers and police officers have more protection from dog bites than other citizens. Invoking a 1951 law, the court declared that owners of dogs who bite mailmen or policemen should be held liable even if it is the first time the dog has bitten and the owner took precautions to control the animal. In all other cases, an owner is entitled to the “one free bite” rule where he is usually not held liable until he knows the dog has bitten or shown aggression.

KANSAS — The City of Wichita has finalized several changes to its animal control ordinance. In a vote of 6-1, the city council approved an anti-tethering law. The measure limits the length of time dogs may be chained or tied up to no more than three one-hour periods per day, separated by three-hour intervals. The

council also passed a new dangerous dog law that requires dogs declared dangerous to be microchipped, leashed and muzzled for transportation, and registered with the city at a cost of \$100. Owners will also be required to obtain \$100,000 liability insurance and build a secure enclosure to confine the dog. The original version of the ordinance contained more onerous provisions, including breed-specific legislation, but the Wichita Kennel Club and other local dog owners worked closely with the city council to ensure that the new law was reasonable, enforceable and non-discriminatory.

LOUISIANA — Jefferson Parish dog owners will soon face increased fines for letting their dogs runs loose. A newly-approved ordinance, which takes effect January 1st, doubles and triples fees for various nuisance violations. Additionally, owners of dogs deemed dangerous will now be required to pay a \$50 registration fee.

MAINE — Debate continues over Orono’s proposed leash law. Opposition to the proposal, along with questions over how long leashes could be and whether retractable leashes would be permitted, have forced the measure back to committee for additional review.

MASSACHUSETTS — In September, fanciers were caught unaware when after months of inactivity, H2274 was suddenly scheduled for a hearing by the Joint Committee on Natural Resources and Agriculture. The bill would amend the definition of commercial breeder

to include any person who produces more than one litter per year and sells the offspring from those litters. Upon learning of the hearing, AKC quickly sent a statement of opposition to committee. Charlotte McGowan of the Papillon Club of America attended on behalf of purebred dog owners. A2274 has seen no further action to date, but fanciers should continue to monitor the bill as the Massachusetts session carries over through 2004.

- Sponsored by Rep. Vallee, H4223 pertains to investigations of complaints against vicious dogs for damages done to both people and property. The bill was referred to the Joint Committee on Local Affairs and Regional Government, but the text is not available as this newsletter goes to press.

MISSOURI — The Canine Legislation department has learned that the Hannibal City Council approved a limit law before fanciers were aware of it. The law takes affect January 1st and limits residents to a combined total of five dogs and cats. Violators will face fines of \$150. Homes must be found within six months for any litters bred.

- Dogs deemed vicious are now prohibited in Woodson Terrace, and violators could face fines of \$500 per day. Vicious dogs are defined as those that have bitten or attacked a person, or exhibited “dangerously aggressive tendencies.” There is no exemption for dogs that have been provoked, and officials have stated that it will be up to police officers to

make a final determination in such instances. The Canine Legislation department did not learn about the measure until after it had been approved.

NEW YORK — Albany officials are considering a leash law for dogs in all city parks except for four fenced dog runs. Local dog owners are lobbying against the measure.

NORTH CAROLINA — Appointed by House co-speakers Jim Black and Richard Morgan, North Carolina’s Animal Welfare Committee met for the first time in early October. The panel is charged with reducing the number of dog and cats euthanized in the state. Initial meetings included discussions on updating North Carolina’s animal cruelty laws, regulating public shelters, increasing the state’s spay/neuter fund, and regulating breeders who sell puppies and kittens to the public. AKC is monitoring these proposals closely and will report on developments as they occur.

- Buncombe County officials are considering strengthening their community’s dangerous dog ordinance. To assist them in their efforts, the Canine Legislation department sent dangerous dog information packets to county commissioners in October.

RHODE ISLAND — The City of Pawtucket is strongly considering an ordinance to prohibit ownership of “pit bulls,” defined as American Pit Bull Terriers, American Staffordshire Terriers, Staffordshire Bull Terrier or mixes of those breeds. A grandfather

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