

Submitter: Theresa Temple  
On Behalf Of:  
Committee: Senate Committee On Natural Resources and  
Wildfire  
Measure, Appointment or Topic: SB1076

Dear Senators,

I am writing to request that you oppose SB 1076. It is a very flawed and poorly written bill. The language in this bill is written is very ambiguously. It leaves the term "breeder" undefined, and it fails to define "pet", leaving the meaning open to the interpretation of the inspection agency/agents. "Breeder", "pet" and "small mammal" are NOT defined anywhere in the bill, leading one to question situations such as, when is a rabbit a pet? When is it food? When is it considered fur and fiber? Can it be all three? What if a litter of rabbits is sold only for food, but a buyer decides to make a pet of it instead? What about small mammals like guinea pigs used for 4-H? Who is a breeder? Is a child in FFA or 4-H a breeder if they have a litter of guinea pigs? If a person's dog gets out and gets pregnant, does that person become a "breeder"? If they are unaware of this law and they sell their puppies will it cost them \$2500 and a trip to jail? What is a "small mammal"? Is there a particular weight that makes them such? How many inches long or tall is a "SMALL mammal"? What about breeders that only breed one litter every few years? How does a person who raises inexpensive pets like hamsters, guinea pigs or pet rabbits sell enough "pets" to even cover the expense of a \$350 or higher annual license fee?

You may not realize, but often in the animal breeding/showing business there is a lot of competition, particularly among dog and cat breeders. Certainly, this bill will be used as a weapon against fellow breeders that are competitors. You would have to have a well staffed hot line at the Department of Agriculture to take all of the calls of people turning each other in for nefarious purposes, but even more so for all of the animal rights zealots who do not believe in breeding or even keeping animals as pets. Every person who advertises an animal for sale in Oregon will be at risk of being turned into the Dept. of Ag. The long term result of this bill will be that it won't be worth it to any breeder to operate in this state. I honestly believe that is the true purpose of this bill.....to create an unfair advantage for the Humane Society and similar shelters. In years past, there have been bills that tried to limit or take away the choice of Oregon citizens to purchase the breed or pet of their choice, and relegate their options to the Humane Society. I would argue that SB 1076 could and will be used to create a monopoly in this state where only shelter dogs are an option for most families. I don't believe the majority of Oregonians support that.

I do not see a fiscal impact statement in this bill. Section 9, referring to the amount of money appropriated out of the general fund has been left blank; however, it states the appropriation is available continuously until expended for the purposes specified

in this section. Is the amount limitless? The fact that the sponsors of this bill have no idea what the cost of this new licensing program would cost the tax payers tells me that they don't have any idea how many citizens this would impact, or what the cost of licensing and inspecting hundreds, if not thousands of Oregon "breeders" would entail. There appears to be no cap on the licensing fee either. This would surely be a very expensive undertaking, and I believe if the costs are passed on in the licensing fees that breeders would have to charge such a high price for their "pet" offspring that they would be out of the price range of most people, thereby putting most breeders out of business.

Section 5, #2 discusses the USDA making sure a breeder is in compliance with rules adopted under section 3 of this act, but USDA only enforces the federal animal welfare act, not state laws. This statement should be removed.

Lastly, I'd like to object to the emergency clause that makes this law take effect on passage, as the sponsors have shown no examples or explanation of why an emergency exists.