



Proposed AWA Transfer & Dog Dealer Laws Expand Private Property Regulation, Undermine Enforcement of Animal Protection Laws

The AKC remains opposed to two significant changes to the state's Animal Welfare Act adopted by the House as policy changes inserted into their version of the budget. These changes violate the private property rights of North Carolina residents, create a significant burden on law enforcement and taxpayers, and do nothing to improve the lives of dogs in our state:

1) Definition of "dealer" requires commercial licensing and regulation based on the ownership of multiple dogs.

Regulation of commercial activity should be based on actual commerce, not property ownership or how that property could be used.

- **This would make it HARDER for law enforcement to do their jobs.** It is unclear how this would be enforced or how law enforcement will be able to determine which dogs are qualifying, intact females.
- **It duplicates new, federal pet dealer regulation currently in the process of implementation.** This measure uses state funds to duplicate and expand on new (November 2013) USDA licensing and oversight regulations for pet dealers that have already been extensively vetted through studies and a public comment process.
- **It does nothing to improve the wellbeing of dogs in North Carolina.** AKC believes *all dogs* deserve good quality care, regardless of reproductive status or the number of dogs their owner maintains. AKC submitted an amendment to Rep. Saine for House Bill 930 to require basic standards of care for *all* dogs.
- **It does NOT exempt sportsmen or those who show dogs.** Supporters claim these groups are exempt, but it *only exempts those kennels in which a majority of dogs are being TRAINED* for hunting, sporting field trials or show.
- **Law enforcement officials would have to prove whether, based on a person's property, they meet a vague, arbitrary definition of "dealer",** and whether they may qualify for any of the exemptions, before the laws could be enforced. **Improperly identified animals or breeding operations could lead to extensive court and administrative costs for state or local jurisdictions.**
- **North Carolina already has felony animal cruelty laws. A better option is to provide law enforcement with the resources they need to ensure full enforcement of existing laws that protect the wellbeing of all animals.**
- **It takes money AWAY from the state's spay/neuter fund to establish a new fund that encourages private groups to underwrite the cost of private property inspections.**
- **The definition of "dealer" in the House budget is taken from a failed 2009 bill (SB 460).** The bill was recognized as unworkable in 2009; it's still unworkable in 2014.

2) Transferring the Animal Welfare Is Not in the Best Interest of Dogs, the State, or Taxpayers

- **Animal policy should be created and overseen by those with expertise in animal husbandry.** Animal cruelty is already a felony –regardless of the number of dogs maintained. AKC supports full enforcement of this law and additional resources as necessary to ensure the wellbeing of animals. Law enforcement should not be burdened with developing, administering, and regulating animal policy, just as is it inappropriate to ask the Department of Agriculture to enforce the state's criminal laws. Each department has a specific function and area of expertise that enables them to best serve the state in their specific capacity and purpose.
- **The transfer is a failed experiment.** Other states that have attempted to have other agencies besides the Department of Agriculture regulate animal policy have run into significant compliance issues and cost overruns.
- **The transfer routes animal policy away from animal health and welfare experts** and paves the way for an expanded anti-breeding, anti-agriculture animal rights agenda endangering public health and the welfare of animals in North Carolina.

For more information contact AKC's Government Relations Department at (919) 816-3720, or doglaw@akc.org.



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