

GERALD L. BRADY
STATE REPRESENTATIVE
Fourth District



HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

COMMITTEES
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Infrastructure, Vice Chair
Veterans Affairs, Vice Chair
Economic Development,
Banking, Insurance &
Commerce
Health & Human Development
Revenue & Finance

Housing and Community Affairs Committee
Meeting Minutes
June 16, 2010

Chairman Brady called the meeting to order at 3:43pm. Members present included Representatives Bennett, Viola and Hocker. For a list of guests, please see attached.

After calling the meeting to order, Chairman Brady brought up **HB 466 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS**, and recognized Rep. George, the bill's sponsor. Rep. George explained that this legislation prohibits tethering for 15 minutes or more between the hours of 11pm and 6am and in cases of inclement weather (less than 35 degrees Fahrenheit). Rep. George also stated that an amendment was forthcoming to deal with tethering in extreme heat. Rep. George offered her support for all those who have been involved with drafting the legislation.

Chairman Brady then opened the floor to comments and questions from representatives and expressed concern of the definition of tethering, but Rep. George explained that a definition currently existed in the code. Rep. Viola offered his concern over how the time frame and use of inclement weather were adopted. Rep. George stated that common education about tethering states that it is harmful to tether for an extended period of time and especially during inclement weather. Rep. Bennett questioned how enforcement would work for this legislation. Rep. George stated that only Kent County has sufficient staff to enforce this legislation, but also stated that the enforcement power would be left up to the counties. Rep. Hocker then stated that laws are already in place to prevent animal abuse such as the type that is trying to be outlawed by this legislation and hence he cannot support this due to the fact that there are good dog owners who do take great care of their dogs on tethers.

Chairman Brady then opened the floor to comments and questions from the public and recognized David Voss. Mr. Voss told his personal story of saving dogs from cruel tethering practices. Rep. George stated that in honor of Mr. Voss's acts of courage, the legislation would be named Freedom's Law. In addition, Rep. George offered her sincere thanks to Mr. Voss.

Chairman Brady then recognized Jane Pierantozzi of Faithful Friends No Kill Animal Shelter, who stated that dogs shouldn't be chained up all the time and that tethering is not ok. Ms. Pierantozzi offered her support for the legislation and stated that it was a step in the right direction. Rep. Hocker stated that dogs shouldn't be chained up in a cruel manner, but if a dog is taken care of properly and chained properly it can be tethered for an extended period of time. Rep. Viola then asked if there was a possibility of owners chaining dogs up in their basements to get around this law. Rep. George stated that that was a concern of hers, but this law goes far to protect dogs from the elements and other dangers of the outdoors. In response, Rep. Hocker stated that tethering can be done in a proper manner and that currently Sussex County stands in opposition to this legislation.

Chairman Brady then recognized Scott Kidner, who asked about the forthcoming amendment dealing with heat related weather. Rep. George stated that the level would be set at 85 degrees Fahrenheit.

Rep. Viola motioned to release the bill from committee; Rep. Bennett seconded the motion. The bill was released from committee on a 3-1-0 vote.

Chairman Brady adjourned the meeting at 4:10pm.

Respectfully Submitted,

Christopher Lang