

State Representative
KATHLEEN E. CURRY
Colorado State Capitol
200 E. Colfax Ave., Room 271
Denver, CO 80203
Capitol: 303-866-2945
Business: 970-209-5537
E-mail: kathleen.curry.house@state.co.us



Member:
Agriculture, Livestock, & Natural
Resources Committee
Appropriations Committee

COLORADO
HOUSE OF REPRESENTATIVES
STATE CAPITOL
DENVER
80203

January 15, 2010

Mr. John R. Stulp, Commissioner
Department of Agriculture
700 Kipling Street, Suite 4000
Lakewood, CO 80215

Dear Commissioner Stulp:

I am writing on behalf of a constituent of mine, Bill Fabrocini, to request a formal rule change concerning the tethering rules in The Pet Animal Care Facilities Act (PACFA, 8 CCR 1201-11). The goal is to add a section 2-D within the "Animal Enclosure Standards", sub-section "Dog Houses with Chains". The proposed new rule changes are as follows:

"d) All dogs shall be provided with a minimum of 90 minutes of continuous exercise within a 24 hour period which may take the form of the following:

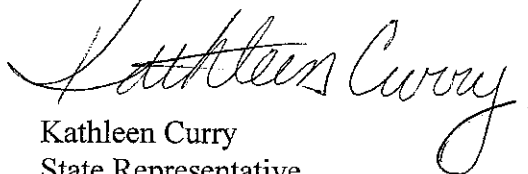
- Walk or run while restrained by a leash
- Pulling a wheeled cart or winter sled
- Placement in closed space enclosure with the opportunity for exercise under the following conditions: Enclosure size for the first dog must be at least 100 square feet. If additional dogs are placed in the enclosure an addition of 30 square feet per dog is required. As such 5 dogs would require 220 square feet. The fence shall be constructed of chain link or a similar type of material with all four sides enclosed. The enclosure shall be of sufficient height to prevent the dog(s) from escaping from such enclosure. Whether supervised or unsupervised, while in the enclosure there must be adequate shading to protect the dog from the sun and adequate water. Any dog exhibiting aggressive behavior shall be exercised separately in the enclosure. Supervision will be required in all cases where there are more than five dogs in such enclosure. It shall be the responsibility of the owner to ensure the dogs are monitored during exercise in such a manner that protects their health and safety.

Dogs shall be exempt from exercise requirements for any period of time a licensed veterinarian certifies that exercise would jeopardize the health of the dog or cause the dog pain and suffering. The veterinarian's certificate shall include the date of the examination, reason the dog should not exercise and the time period for the restriction."

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We look forward to working with your office on this rule change request. Please advise my office as to the anticipated schedule so that we can attend the required hearings/meetings along with the proponents. Bill Fabrocini's phone number is 970-379-8722 and his email address is fabrocini.bill@comcast.net if you want to contact him as well.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Curry". The signature is written in black ink and is positioned to the right of the typed name.

Kathleen Curry
State Representative
House District 61

cc: Bill Fabrocini