

SCR 111

Measure Title: REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF LARGE-SCALE DOG BREEDERS AND DOG BREEDING FACILITIES.

Report Title: Sunrise Review; Auditor; DCCA; Large-Scale Dog Breeders

Description:

Companion:

Package: None

Current Referral: CPN, WAM



NEIL ABERCROMBIE
GOVERNOR

BRIAN SCHATZ
LT. GOVERNOR

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PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE SENATE COMMITTEE ON
COMMERCE AND CONSUMER PROTECTION

TWENTY-SIXTH STATE LEGISLATURE
REGULAR SESSION, 2010

TUESDAY, MARCH 29, 2011
9:00 A.M.

TESTIMONY ON
SENATE CONCURRENT RESOLUTION NO. 111
REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE
REGULATION OF LARGE-SCALE DOG BREEDERS AND DOG BREEDING FACILITIES.

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TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND TO THE HONORABLE BRIAN T. TANIGUCHI, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("DCCA") appreciates the opportunity to testify on S.C.R. No. 111. My name is Jo Ann Uchida of the DCCA's Regulated Industries Complaints Office ("RICO"). RICO offers the following comments and amendments.

S.C.R. No. 111 requests that the Auditor conduct a sunrise review of the regulation of large-scale dog breeders and dog breeding facilities as proposed in

Senate Bill No. 1522. Senate Bill No. 1522 would require, among other things, that large-scale dog breeders be licensed by the DCCA.

RICO concurs with the request that the Auditor conduct a sunrise review of the regulation of large-scale dog breeders and dog breeding facilities. However, and as the DCCA's enforcement agency, RICO is concerned that the expertise and resources necessary to enforce any regulation for large-scale dog breeders is beyond RICO's capacity at the present time. As a result, RICO respectfully requests that the Auditor's review include an evaluation of whether regulation, if any, should be placed with the DCCA or with some other governmental or nongovernmental agency.

RICO also notes that the U.S. Department of Agriculture currently administers the Animal Welfare Act and licenses large-scale breeders for certain types of activity. To the extent that Senate Bill No. 1522 contemplates complementary state regulation, RICO suggests that the Auditor's review also include a discussion of how the proposed regulation would be reconciled with the federal law and the existing state laws governing domestic animals, animal quarantine, and dog licensure. These state laws are currently administered by the Department of Agriculture.

As such, RICO recommends that the following language be added to the resolution:

WHEREAS, section 26H-6, Hawaii Revised Statutes, requires the Auditor to assess alternative forms of regulation; * * *

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BE IT RESOLVED by the Senate of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2011, the House of Representatives concurring, that the Auditor is respectfully requested to conduct a sunrise review of the regulation of large-scale dog breeders and dog breeding facilities, pursuant to 26H-6, Hawaii Revised Statutes as proposed to be regulated under Senate Bill No. 1522 (2011), and shall include in the review an assessment of alternative forms of regulation; and * * *

Thank you for this opportunity to testify on S.C.R. No. 111. I will be happy to answer any questions that the members of the Committee may have.



NEIL ABERCROMBIE
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**PRESENTATION OF THE
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011

Tuesday, March 29, 2011
9:00 a.m.

**TESTIMONY ON SENATE CONCURRENT RESOLUTION NO.111, REQUESTING
THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE REGULATION OF
LARGE-SCALE DOG BREEDERS AND DOG BREEDING FACILITIES.**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Celia Suzuki, Acting Licensing Administrator of the Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to testify in support of S.C.R. No. 111.

This concurrent resolution requests that the Auditor conduct a sunrise review of the regulation of large-scale dog breeders and dog breeding facilities, pursuant to section 26H-6, Hawaii Revised Statutes ("HRS"), as proposed to be regulated under Senate Bill No. 1522 (2011). The Auditor's analysis would set forth the probable effects

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of the proposed regulatory measure, assess whether its enactment is consistent with the purposes of section 26H-2, HRS, and assess alternate forms of regulation.

Thank you for the opportunity to testify in support of S.C.R. No. 111.



THE HUMANE SOCIETY
OF THE UNITED STATES

TO: Honorable Chair Baker, Vice-Chair Taniguchi and Committee Members

Committee on Commerce and Consumer Protection 3-29-11, 900am, Rm 229

RE: Testimony in SUPPORT of SCR 111; Sunrise Review- Dog Breeders

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States,
P.O. Box 89131, Honolulu, HI 96830, igibson@hsus.org, 808-922-9910

On behalf of our more than 49,400 members and supporters in Hawaii, we thank the Committee for considering this important measure to protect both dogs and consumers.

The purpose of this Resolution is to request the Auditor's office to conduct an sunrise review and analysis of dog breeders; currently an unregulated and unlicensed profession. This measure complements SB 1522/HB 1621 which would require that large-scale dog breeding operations be licensed and provide each dog under their care with basic food and water, adequate shelter from the elements, necessary veterinary care, adequate space to turn around and stretch his or her limbs, access to space for critical exercise and adequate rest between breeding cycles. These most basic requirements are found in a number of state laws, but sorely lacking in Hawaii.

Animal Welfare Concerns:

Dogs at puppy mills, also known as large scale commercial breeding operations, typically receive little to no medical care, often live in squalid conditions with no exercise, socialization or human interaction and are confined inside cramped wire cages for life. Breeding dogs must endure constant breeding cycles and are typically confined for years on end, without ever becoming part of a family. The breeding "stock" live their entire lives confined to small cages, devoid of human companionship. They are often victims of filth, inadequate shelter, overcrowding, and insufficient food and water. In addition, these dogs are bred repeatedly and often receive little or no veterinary care.

Consumer Protection Concerns:

Dogs from these large-scale breeders are often sold in pet stores, online, via newspaper ads and in some cases directly to consumers with little to no regard for the dog's health, genetic history or future welfare. Puppies are often taken from their mothers for sale to pet stores at approximately 8 weeks of age, when they are highly susceptible to contagious diseases such as parvovirus and are very sensitive to behavioral stress. Poor breeding practices can also lead to serious genetic problems such as hip dysplasia—an often painful and crippling disorder.

Again, we respectfully urge your support of SCR 111 to better protect dogs and consumers alike.



HAWAIIAN HUMANE SOCIETY

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The Hawaiian Humane
Society is dedicated to
promoting the human-
animal bond and
the humane treatment of
all animals.

March 28, 2011

Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Committee on Commerce and Consumer Protection

Re: Testimony on SCR 111

Dear Chair Baker, Vice Chair Taniguchi and Members of the Committee on
Commerce and Consumer Protection:

We support the passage of SCR 111, requesting a sunrise review to determine
whether large scale dog breeders should be licensed; if this is determined to be
necessary by the legislature.

The large scale dog breeding legislation would regulate businesses that have 20
or more intact female dogs over the age of six months; or who have a total of 30
intact dogs that are 6 months or older; or sells 25 or more puppies within a year.

These large scale breeders would be required to be licensed and establishes
minimum standards of care that includes: veterinary care, space requirements,
exercise and access by inspectors at any reasonable time during regular business
hours.

We ask for your support of SCR 111.

Thank you for the opportunity to provide testimony in support of this measure.

Sincerely Yours,

Pamela Burns
President and CEO

Testimony for CPN 3/29/2011 9:00:00 AM SCR111

Conference room: 229

Testifier position: support

Testifier will be present: No

Submitted by: Debra Bringman

Organization: Individual

Address:

Phone:

E-mail: prayerwarrior@hawaiiantel.net

Submitted on: 3/23/2011

Comments: