

HB1133, HD2

Measure Title: RELATING TO VETERINARY MEDICINE.

Report Title: Veterinary Medicine; Unlawful

Description: Makes intentional or knowing performance of a veterinary procedure on a pet animal by an unlicensed person a class C felony. Subjects cropping or docking by an unlicensed person for compensation or gratuitously as part of the sale of a pet animal to the law against cruelty to animals in the first degree. Effective January 7, 2059. (HB1133 HD2)

Companion:

Package: None

Current Referral: CPN, JDL

**PRESENTATION OF THE
BOARD OF VETERINARY EXAMINERS**

**TO THE SENATE COMMITTEE ON
COMMERCE AND CONSUMER PROTECTION**

**TWENTY-SIXTH LEGISLATURE
Regular Session of 2011**

**Tuesday, March 15, 2011
9:00 a.m.**

**TESTIMONY ON HOUSE BILL NO. 1133, H.D. 2, RELATING TO VETERINARY
MEDICINE.**

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

My name is Lynn Bhanot, Executive Officer for the Board of Veterinary Examiners ("Board"). I appreciate the opportunity to present testimony on behalf of the Board.

The purpose of this measure is to reclassify the practice of veterinary medicine without a license as a class C felony when intentionally or knowingly performing a veterinary procedure.

The Board has not had an opportunity to review the measure; however, we generally support proposals which enhance our mission, which is to protect the general public. The Board will be discussing this bill at its next scheduled meeting on Wednesday, April 20, 2011.

Thank you for this opportunity to testify on House Bill No. 1133, H.D. 2.



THE HUMANE SOCIETY
OF THE UNITED STATES

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

Senate Consumer Protection Committee, 3-15-11, 900am Rm. 229

RE: In SUPPORT of HB1133 HD2; Relating to Veterinary Medicine, with Comments

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 49,000 members and supporters of The Humane Society of the United States in Hawaii, we thank you for the opportunity to speak in support of HB1133 HD2, with comments.

We support the strengthening of penalties for non-licensed persons attempting to practice veterinary medicine. However, as currently drafted Section 2 (c) would continue to allow non-veterinarians (those who are not licensed per section 471-2) to perform cropping and docking procedures if performed for compensation or for free, as part of the sale of an animal. While this is an improvement from our current law, where any non-licensed person may perform these procedures, we believe the bill can be further strengthened by amending the below to only allow cropping and docking if performed by a licensed veterinarian. We respectfully request that Section 2 (c) be amended to read:

(c) Cropping or docking as customarily practiced[.], unless performed by a person not licensed under section 471-2:

- ~~—— (i) For compensation; or~~
~~—— (ii) Gratuitously as part of the sale of a pet animal."~~

Ear cropping and tail docking procedures are unnecessary and can be extremely painful to an animal if proper care and anesthetic are not administered. Non-veterinarians performing these procedures often forcefully restrain and bind the dogs with duct tape, then razor blades, box-cutters or simple scissors are used to cut the dogs' ears and/or tail. In addition, if not performed by a professional veterinarian, these procedures can result in serious infection and extended suffering.

Thank you for your support of HB 1133 and your consideration of the above comments.



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Fax: 955-6034
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■
*The Hawaiian Humane
Society is dedicated to
promoting the human-
animal bond and
the humane treatment of
all animals.*
■

March 14, 2011

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

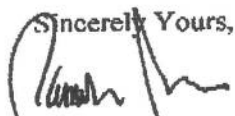
Re: Testimony on HB 1133, HD2

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

Hawaiian Humane Society supports HB 1133, HD 2 wherein any unlicensed
person who intentionally or knowingly performs any veterinary procedure on a
pet animal in a cruel or inhumane manner shall have committed a class C felony.

We also support the amendment in HB 1133, HD2 Section 2 (c) which further
clarifies that the exceptions to the law against animal cruelty with regard to
cropping and docking do not apply to unlicensed individuals who perform
cropping and docking as part of the overall sale of a pet animal even if they
provide this service gratuitously.

Thank you for the opportunity to provide testimony.

Sincerely Yours,


Pamela Burns
President and CEO

To: Hawaii Legislatures

From: Casey Hewes, (808) 454-7381, hewes@hawaii.edu

Meeting Date: Monday March 13, 2011

Subject: Bill 1133

I am a private citizen and I represent the rights of Hawaii's animals. I am supporting Bill 1133. We must improve the efforts to punish and deter these horrendous crimes. You must be trained and licensed to perform a procedure.

I have enjoyed the companionship of my dog for many years as many of Hawaii's citizens. They are gentle companions by nature and we must ensure their protection. They are unable to defend themselves so we have the responsibility to speak on behalf of these gentle and faithful companions.

I feel very strongly and support any initiative to end the exploitation of these highly intelligent and emotionally developed creatures. You are in the position to show your constituents you truly defend the rights of the underprivileged and underrepresented.

In conclusion, I am a supporter of Bill 1133 not from the perspective of an animal activist but as a human who understands the responsibility we have to care for these loving animals. We are sending a clear message to offenders we will no longer tolerate this activity in our great state. Thank you for your time and consideration.

Sincerely,
Casey Hewes

Peggy Mierzwa

From: Mary Markl [ahimsamary99999@gmail.com]
Sent: Monday, March 14, 2011 12:22 PM
To: CPN Testimony
Subject: Bill HB1133

Please support Bill HB1133. You have it in your power to stop the cruel ear cropping and tail docking done by nonprofessionals. Since they are sensitive live beings who feel like us, how would you feel if someone did that to parts of you with no anesthesia and you had to feel every bit of it, no antibiotics in case you got infection and basically did not care about the awful pain and results, all for an unnecessary procedure that was cheap for them, but excruciating for the innocent animal. You are their only chance in stopping this, please vote as you'd want that vote if you were in their place.

Thank you.
Ahimsamary99999

Peggy Mierzwa

From: Janet Hyrne [janethyrne@yahoo.com]
Sent: Monday, March 14, 2011 12:20 PM
To: CPN Testimony
Subject: Support HB 1133 Relating To Veterinary Medicine

Aloha Chairman Baker, Vice Chair Taniguchi, and the Committee on Commerce and Consumer Protection:

I am writing in support of HB1133, Relating to Veterinary Medicine, which makes intentional or knowing performance of a veterinary procedure on a pet animal by an unlicensed person a class C felony. It is incomprehensible to know that there are people in Hawaii who perform such procedures on animals and who have little, if no, experience doing so. They frequently perform surgeries without the use of anesthesia and in facilities that are unsanitary and ill-equipped. Animals suffer immensely as a result. We must put a stop to this practice and speak for those who cannot speak for themselves.

Please support HB1133 and take a stance towards protecting the animals of Hawaii.

Sincerely,
Janet Covington
808-291-5321

Peggy Mierzwa

From: STEPHANIE M. [aloharunner@hotmail.com]
Sent: Saturday, March 12, 2011 3:21 PM
To: CPN Testimony
Subject: SUPPORT HB 1133 RELATING TO VETERINARY MEDICINE

Please support HB 1133 relating to veterinary medicine. This bill will make the performing of a veterinary procedure on a pet animal by an unlicensed person a class C felony. I am a dog obedience trainer for the Leeward Training Club of Hawaii and I know of specific incidences where people have performed "backyard surgeries" on their dogs like cropping their ears or tails with a garden scissors using no pain killers. To do such a thing by an unlicensed veterinarian is cruel and inhumane. Hawaii needs this law...please support it. Stephanie McLaughlin, 95-310 Haakualiki Place, Mililani, Hawaii, 96789, phone (808)384-4764, email: aloharunner@hotmail.com



Aloha from ...

Stephanie McLaughlin

"Be the change you wish to see in the world"

Peggy Mierzwa

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 12, 2011 1:58 PM
To: CPN Testimony
Cc: pattie.herman@marriott.com
Subject: Testimony for HB1133 on 3/15/2011 9:00:00 AM

Testimony for CPN 3/15/2011 9:00:00 AM HB1133

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: patricia v herman
Organization: Individual
Address:
Phone:
E-mail: pattie.herman@marriott.com
Submitted on: 3/12/2011

Comments:

TO ENCOURAGE DOG FIGHTING IS TO ENCOURAGE A CHILD TO BE KILLER. IT IS VICIOUS, INHUMANE AND THE POOR ANIMALS OR DOGS ARE THE VICTIMS. PLEASE HAVE MERCY ON THESE ANIMALS/DOGS FUTURE AND PASS sb 1069.
THANK YOU

Peggy Mierzwa

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 13, 2011 1:03 PM
To: CPN Testimony
Cc: swartzg001@hawaii.rr.com
Subject: Testimony for HB1133 on 3/15/2011 9:00:00 AM

Testimony for CPN 3/15/2011 9:00:00 AM HB1133

Conference room: 229
Testifier position: oppose
Testifier will be present: No
Submitted by: gregory swartz
Organization: Individual
Address:
Phone:
E-mail: swartzg001@hawaii.rr.com
Submitted on: 3/13/2011

Comments:

I support this bill, but I fully agree with the Hawaiian Humane Society and other testifiers that docking or cropping should be done only by licensed vets. If other people want to do these types of operations, they should at least be trained and licensed as surgical vet techs. under a state-regulated program.

Peggy Mierzwa

From: Ronda Page [rondapage@rocketmail.com]
Sent: Sunday, March 13, 2011 3:28 PM
To: CPN Testimony
Subject: HB 1133

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

Please **SUPPORT HB 1133** to prevent cruel ear cropping and tail docking of dogs by non-licensed veterinarians. These procedures are unnecessary, extremely painful and can lead to serious infection and suffering. Furthermore, dogfighters often subject dogs to these and other cruel "surgical" practices.

Peggy Mierzwa

From: Rosemary Karlsson [rosemarykarlsson@gmail.com]
Sent: Sunday, March 13, 2011 2:00 PM
To: CPN Testimony
Subject: Support HB 1133

Dear Honorable Chair Baker, Vice-Chair Taniguchi and Committee Members:
Please **SUPPORT HB 1133** to prevent cruel ear cropping and tail docking of dogs by non-licensed veterinarians. These procedures are unnecessary, extremely painful and can lead to serious infection and suffering. Furthermore, dogfighters often subject dogs to these and other cruel "surgical" practices.

Rosemary Karlsson
PO Box 492266
Keaau, HI 96749
808-966-6589

Peggy Mierzwa

From: Donna Whitaker [exec.dir@hihs.org]
Sent: Sunday, March 13, 2011 3:50 PM
To: CPN Testimony
Subject: Support HB 1133

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

Please **SUPPORT HB 1133** to prevent cruel ear cropping and tail docking of dogs by non-licensed veterinarians. These procedures are unnecessary, extremely painful and can lead to serious infection and suffering. Furthermore, dogfighters often subject dogs to these and other cruel "surgical" practices.

Too often, we see "botched" at home surgical procedures that cause unneeded pain and suffering, and require considerable follow up treatment by our licensed veterinarian.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

Donna Whitaker
Executive Director
Hawaii Island Humane Society
808-329-8002
808-329-7375 Fax

Peggy Mierzwa

From: Judy Mick [ppchawaii@yahoo.com]
Sent: Sunday, March 13, 2011 7:19 PM
To: CPN Testimony
Subject: HB 1133

Aloha Chair Baker and Vice Chair Taniguichi-

Please support HB 1133 to stop the archaic and cruel practice of ear cropping and tail docking on dogs by other than a vet. I would like the practice to be eliminated entirely, but this is a start. Since almost all of it is done by dogfighters, this would help as we end the cruelty in our state. Mahalo, Judy Mick, Kailua

Peggy Mierzwa

From: Merwitte [merwitte@aol.com]
Sent: Sunday, March 13, 2011 8:23 PM
To: CPN Testimony
Subject: Please support HB 1133

Please support Bill HB 1133. Other states have outlawed cropping and docking in general. This is a highly reasonable request. Please support these procedures being done by veterinarians if at all.
Thank you. Selene Mersereau

Peggy Mierzwa

From: Bird of Paradise [birdofparadise@hawaii.rr.com]
Sent: Sunday, March 13, 2011 11:59 PM
To: CPN Testimony
Subject: HB1133 - Cropping/docking of pet animals

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

Please **SUPPORT HB 1133** to prevent cruel ear cropping and tail docking of dogs by non-licensed veterinarians. These procedures are unnecessary, extremely painful and can lead to serious infection and suffering. Furthermore, dogfighters often subject dogs to these and other cruel “surgical” practices. Please think of your family pets and whether you would subject them to such a cruel practice and vote from your conscience.

Respectfully,

Andrea & Ganshet Nandoskar

440 Lewers Street #702

Honolulu, HI 96815

Peggy Mierzwa

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 14, 2011 10:48 AM
To: CPN Testimony
Cc: heartsforanimals@gmail.com
Subject: Testimony for HB1133 on 3/15/2011 9:00:00 AM

Testimony for CPN 3/15/2011 9:00:00 AM HB1133

Conference room: 229
Testifier position: support
Testifier will be present: Yes
Submitted by: JoAnn Chisholm-Dueno
Organization: Hearts For Animals, Inc.
Address:
Phone:
E-mail: heartsforanimals@gmail.com
Submitted on: 3/14/2011

Comments:

Cropping tails and ears are mutilation of an animal. This is equal to maiming a child in my book. No animal should suffer through such barbaric practices as having their ears or tails cut period, but especially not without a trained licensed vet doing the procedure under anesthesia. We must stiffen the laws to prevent this from spreading further into the mainstream.

Mahalo!

Peggy Mierzwa

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 14, 2011 8:12 AM
To: CPN Testimony
Cc: AKOE002@hawaii.rr.com
Subject: Testimony for HB1133 on 3/15/2011 9:00:00 AM

Testimony for CPN 3/15/2011 9:00:00 AM HB1133

Conference room: 229
Testifier position: support
Testifier will be present: No
Submitted by: Eric Ako DVM
Organization:
Address:
Phone:
E-mail: AKOE002@hawaii.rr.com
Submitted on: 3/14/2011

Comments:

Dear Chair Baker and Committee members,
The Hawaii Veterinary Medical Association supports HB 1133.
While our community benefits greatly by the growing companion animal industry, we are seeing growing numbers of unscrupulous individuals who seek to take advantage of our people.

The Hawaii Veterinary Medical Association promotes the delivery of quality veterinary services. It hurts us to see and hear about the harm done to poor defenseless pets. And we can well empathize with their owners.

Please pass HB 1133.

Thank you,
Eric Ako DVM
Executive Vice President
Hawaii Veterinary Medical Association

79 individuals in Support

HB1133 – Relating to Veterinary Medicine

Name	Organization	Position
Bonnie Osaki	Private Individual	Support
Linda Pendragon	Private Individual	Support
Sue Leonard	Private Individual	Support
Darlene Ferrantino	Private Individual	Support
Marvin Matthews	Private Individual	Support
Karen Hironaga	Private Individual	Support
Darron Lau	Private Individual	Support
Darlene Ige	Private Individual	Support
Gertrude Ho	Private Individual	Support
Crystal Acohido	Private Individual	Support
Joanne Oshiro	Private Individual	Support
Kyle Fujimoto	Private Individual	Support
Corinna Gann	Private Individual	Support
Nancy Gills	Private Individual	Support
Kristine Davidson	Private Individual	Support
Karen Oeda	Private Individual	Support
Jacqueline Just	Private Individual	Support
Barbara Tom	Private Individual	Support
Steve Prieto	Private Individual	Support
Patricia Nakamoto	Private Individual	Support
Kari Nishioka	Private Individual	Support
C. Omatsu	Private Individual	Support
Patricia Santos	Private Individual	Support
Carly Antone	Private Individual	Support
Joey Mielke	Private Individual	Support
Deb	Private Individual	Support
Kathy Saiki	Private Individual	Support
Barbara Yoshida	Private Individual	Support
Fran Santos	Private Individual	Support
Linda Ross	Private Individual	Support
Dawn Yamamura	Private Individual	Support
Andrew Chow	Private Individual	Support
Cynthia Clough	Private Individual	Support
Donna Shimabukuro	Private Individual	Support
Michael Carnes	Private Individual	Support
Suzanne Carnes	Private Individual	Support
Susan Matsui	Private Individual	Support
Christine Fujino	Private Individual	Support
Arlene Montania	Private Individual	Support
Michelle Young	Private Individual	Support
Lisa Arthur	Private Individual	Support
Lijah Bowerman	Private Individual	Support
BriAnna Bowerman	Private Individual	Support

Drue Bowerman	Private Individual	Support
Ricahrd Tashima	Private Individual	Support
Michelle Bowerman	Private Individual	Support
Karen Scharff	Private Individual	Support
Kyoko Nakayama	Private Individual	Support
Krist Tanaka	Private Individual	Support
Liz Kart	Private Individual	Support
Colin Fearn	Private Individual	Support
Peg Fern	Private Individual	Support
Elizabeth Kamida	Private Individual	Support
Anthony Tsui	Private Individual	Support
Janell Shimabukuro	Private Individual	Support
Melissa L. Ka'akau-Delizo	Private Individual	Support
Richard G. Gonsales II	Private Individual	Support
Heidi Fisch	Private Individual	Support
Teney Takahashi	Private Individual	Support
Lynne Matusow	Private Individual	Support
Jacquelyn Leblanc	Private Individual	Support
Pamala Tagariello	Private Individual	Support
Jaime Ikeda	Private Individual	Support
Caron Nakamura	Private Individual	Support
Natalie Lukashovsky	Private Individual	Support
Laura Lum	Private Individual	Support
Jaci Chan	Private Individual	Support
Ginger Chock	Private Individual	Support
Michelle Lambert	Private Individual	Support
Karina	Private Individual	Support
Kristine Herrick	Private Individual	Support
Anjojo Risko	Private Individual	Support
Arthur K. Kluvo	Private Individual	Support
Steven Prieto	Private Individual	Support
Rebekah Kirwan	Private Individual	Support
Sandra Chun	Private Individual	Support
Nanette Castro	Private Individual	Support
Lea Nakayama	Private Individual	Support
Lisa Uzar	Private Individual	Support

March 14, 2011

Testimony – HB 1133 HD2 - Relating to Veterinary medicine.

Senate Consumer Protection Comm.

Dear Honorable Chair Baker

It is only logical that any surgical procedure on an animal should be by a licensed Veterinarian.

Unnecessary pain and infection can be a serious effect. Some dog's ears are mutilated by this procedure. Again we need to step up and protect those who can't speak for themselves.

We also need to step up and become a state that loves its animals enough to protect them with adequate laws. Not be at the bottom of the list!!

Thank you for this opportunity to testify. Help us help them.

Ginger Towle – President

West Hawaii Humane Society

Box 2695

Kailua-Kona, Hawaii 96745

Phone 808-329-2051