



**THE HUMANE SOCIETY
OF THE UNITED STATES**

LATE TESTIMONY

TO: Honorable Chair McKelvey, Vice-Chair Choy and Committee Members

House Economic Revitalization and Business Committee, 3-22-12, 915am Rm 312

RE: Comments on HCR 141; Requesting DCCA to Convene a Taskforce on 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

Thank you for the opportunity to provide the below comments on HCR 141:

- While we do not oppose the DCCA or any other agency convening a taskforce to further discuss the issue of dog breeding, it ***should not preclude or prevent current legislative efforts*** via SB2492, to regulate large scale dog breeders. It should also be noted that last year, when a similar measure to regulate large scale dog breeders was introduced, the DCCA did not support its agency as being responsible for regulating and/or licensing such operations.
- The fact that the AKC hosts many dog shows across Hawaii has nothing to do with regulating puppy mills. Responsible breeders, regardless of AKC affiliation, and which is completely voluntary and without any enforcement authority, already meet or exceed the care provisions that were proposed under last year's SB1522 and this year's SB2492. No responsible breeder should oppose current efforts that 1) they are already meeting or 2) that would not apply to them.
- We are unfamiliar with the \$3.6 million claim that the AKC states dog breeders and fanciers bring into the state. We would like to know where and how this information was gathered and what percentage of these monies are from the sale of dogs (puppies) via AKC breeders as no laws currently require that pet stores or other breeders selling dogs disclose their income related to animal sales or even the origin of the dogs they may sell to consumers. In addition, Hawaii has no USDA licensed dealers although anyone having custody of 3 breeding females and who sells more than 25 dogs per calendar year to a pet store or wholesales to another retailer is required to be licensed under the federal Animal Welfare Act.
- It is important to note that Hawaii is one of but a handful of states that have no regulations on dog breeders. In fact, in our recent comparison of anti-"puppy mill" laws nationwide, Hawaii ranked 44th in the nation due to its lack of any licensing, cap on the number of dogs, standards of care for large scale commercial operations, consumer protection provisions (also known as "lemon laws") or the ability for law enforcement or animal control to conduct facility inspections.
- Should this measure move forward, and to ensure adequate representation for our thousands of supporters across Hawaii, The Humane Society of the United States requests to be a member of the taskforce. Our organization has worked on legislation in at least 20 states in the last 4 years related to dog breeding and believe we could contribute greatly to any discussion.

Thank you for the opportunity to comment on this measure.



LATE TESTIMONY

Hawaiian Humane Society
People for animals. Animals for people.

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To: Honorable Chair Angus McKelvey
Vice-Chair Isaac Choy and Committee Members

Committee on Economic Revitalization & Business
March 22, 2012, 9:15 am, Room 312

Submitted by: Natalie Lukashevsky, Community Outreach Coordinator
Hawaiian Humane Society

Date: March 21, 2012

RE: **Support HCR141;**
Task Force on Dog Breeding

Dear Honorable Chair McKelvey, Vice-Chair Choy and Committee Members,

The Hawaiian Humane Society is in strong support of this proposed resolution to create a task force on dog breeding and especially to address the licensing issue.

While we believe in the power of collaboration and have facilitated many past task forces regarding a variety of animal welfare issues, in this case we are in complete agreement that the task force should be convened by the Director of Commerce and Consumer Affairs.

Thank you for the opportunity to provide support of this resolution.

Dachshund Club of Hawaii

Dear Committee Chair and all other members of the House of Representatives:

RE: Oppose SB2492

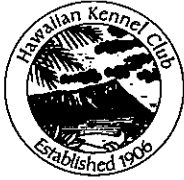
Support HCR141

The Dachshund Club of Hawaii is a club rich in history and diverse in its membership interests. It was established in 1947. We hold annual events for our members and other dog fanciers who own and/or exhibit dachshunds. We also participate in local dog shows, obedience trials, educational offerings and other events that support not only the dog fanciers, but the overall health and well being of dogs in Hawaii. Because of our commitment to dogs and dog fanciers in Hawaii, we are writing to you to inform you as our legislators that we stand in **strong opposition to SB2492**.

We have previously submitted testimony to the Senate regarding **SB2492 that we strongly oppose this piece of legislation**. We are again making our concerns known to all members of the House Committees reviewing this bill. The legislation as written places the emphasis in the wrong areas and does not address the root of the problem, which is the inhumane and the unscrupulous dog breeders who circumvent the systems established to protect dogs.

We are in support of HCR 141 which would gather input from the dog clubs and other individuals in the community who possess the necessary qualifications and expertise to develop legislation that would focus on the real problem areas. The proposed legislation SB2492 was developed without input from responsible breeders and/or the expertise of dog club members. It is poorly crafted and as a result has confused the general public who desire to have a venue that would solve the problem.

Carol Agard, President
Dachshund Club of Hawaii
2157 Awikiwiki Pl.
Pearl City, Hawaii 96782



Hawaiian Kennel Club, Inc.
618 Paopua Loop, Kailua, HI 96734
808-261-8096 tdsteer@pixi.com

In Support of HCR 141

Chairman Angus L. K. McKelvey and Members
House Committee on Economic Revitalization & Business

The Hawaiian Kennel Club has been and remains steadfastly opposed to gratuitous animal cruelty and has been a supporter of the Hawaiian Humane Society for years.

We have been adamantly opposed to several bills introduced this session ostensibly to address animal cruelty, including but not limited to SB2492, SB2494 and their various iterations. Moreover, the Hawaiian Kennel Club and its members have expressed their legitimate concerns regarding these proposed legislative measures in written and oral testimony as members of a free and open society.

Furthermore, the Hawaiian Kennel Club welcomes the opportunity to support the intent and urges the adoption of HCR 141 Requesting the Director of Commerce to convene a Task Force on Dog Breeding and looks forward to sustaining and augmenting those proposals that address animal cruelty and the public interest in purchasing healthy dogs.

Sincerely,

Twylla-Dawn Steer
HKC Secretary

Other Affiliations:

Curriculum Coordinator, `Aiea High School, (808) 483-7300 x253
Former Chairperson, Hawaii Teacher Standards Board, 1996-2004
Member, Obedience Training Club of Hawaii
President, Hawaiian Hound Association

LATE TESTIMONY

Dear Committee Chair and all other members of the House of Representatives:

RE: Oppose SB2492

Support HCR141

I am a dog owner, exhibitor and fancier and I participate in local dog shows and I support additional educational offerings and other events that support not only the dog fanciers, but the overall health and well being of dogs in Hawaii. Because of my commitment to dogs and dog fanciers in Hawaii, I am writing to you to inform you as our legislators that I stand in **strong opposition to SB2492.**

I have previously submitted testimony to the Senate regarding **SB2492 that I strongly oppose this piece of legislation.** I am again making my concerns known to all members of the House Committees reviewing this bill. The legislation as written places the emphasis in the wrong areas and does not address the root of the problem, which is the inhumane and the unscrupulous dog breeders who circumvent the systems established to protect dogs and through sale of dogs from "Puppy Mills."

I am in support of HCR 141 which would gather input from the dog clubs and other individuals in the community who possess the necessary qualifications and expertise to develop legislation that would focus on the real problem areas. The proposed legislation SB2492 was developed without input from responsible breeders and/or the expertise of dog club members. It is poorly crafted and as a result has confused the general public who desire to have a venue that would solve the problem.

Adrian Agard
95 -774 Lanipaa
Mililani, Hawaii 96789

TESTIMONY IN SUPPORT OF HCR 141

Janice Ibaraki

March 21, 2012

I ask that you support HCR141 requesting the Director of Commerce and Consumer Affairs to convene a task force to get critical input from the community before passing legislation on such an important issue.

While the intent of SB2492 and SB2494 is to govern "large scale breeding operations", it unduly burdens the hobby breeder/dog fancier. This bill is flawed with mandates such as a "12 inch clearance from the tallest dog in the enclosure", a measure from the tip of a dog's nose to the base of its tail to determine how much indoor and outdoor square footage the dogs should have "constant and unfettered" access to. There are times however when "constant and unfettered access" is not feasible or advantageous to the well-being of the dogs. For example, the last thunder/hail storm that we experienced in certain areas of the island would have caused havoc if the dogs were allowed "constant and unfettered access". They would be running around and barking in the hail storm at 6 am and catching them after being aggravated by the thunder would be unmanageable. At the first hint of thunder and rain, I brought my dogs in to ensure their safety and put them in their crates, which are their own personal space. Each of my dogs has their "own" crate, which is theirs to sleep/rest in.

They each know which crate is theirs as they sleep in these crates that do not meet the 12" clearance from the top of their heads in an air conditioned room that would not meet the 20 square feet per dog requirement. This room is a bedroom that I also sleep in. My dogs love to forage for things to play with and to eat so "constant and unfettered" access to an indoor enclosure is not always in their best interest especially when I am not in the room.

Please support HCR141 so that critical input from people who live with their dogs can be obtained before enacting bills on this important subject that will affect the safety and well-being of the dogs they purport to protect.

Thank you for your consideration, Janice Ibaraki

I am a dog fancier and I vote.

LATE TESTIMONY

From: Molokai Akitas [molokaiakitas@gmail.com]
Sent: Wednesday, March 21, 2012 7:48 PM
To: ERBtestimony
Subject: LATE TESTIMONY - Support HCR141

I am in support of HCR 141 for these reasons. I would like to know the Reputable breeders you contacted in regards to SB2492/SB2494? I was never contacted nor were any other reputable breeders in Hawaii and I would like to know why. the residents of Hawaii have the right to purchase healthy dogs raised by responsible breeders.

Reputable breeders are committed to preventing dogs from being housed in overcrowded, unhealthy, and inhumane breeding facilities

WHEREAS, dog breeding facilities with unsanitary conditions, similar to those discovered at the Bradley International Waimanalo operation in February of 2011, create the potential for soil and groundwater contamination, the spread of zoonotic parasites and diseases, and the sale of sick or dying animals to the public, not a reputable breeder

WHEREAS, S.B. 1522, S.D. 1, H.D. 1 (2011), proposed to require the licensing of large-scale commercial dog breeders to ensure that every dog under their care is provided with sufficient food, water, space, and adequate shelter from the elements, necessary veterinarian care, and regular exercise, among other things; and

WHEREAS, the Auditor was requested, in S.C.R. 111, S.D. 1 (2011), to perform a sunrise analysis on S.B. 1522 S.D. 1, H.D. 1 (2011); and

WHEREAS, the Auditor performed a sunrise analysis and in Report Number 11-02 found:

- (1) That the proponents of S.B. 1522, S.D.1, H.D. 1 (2011), failed to demonstrate a need for regulation as defined by the sunrise law;
- (2) That S.B. 1522, S.D. 1, H.D. 1 (2011), is flawed; and
- (3) There are available alternatives to protect dogs; and

WHEREAS, the American Kennel Club reported that in 2011, one hundred twenty-eight licensed and sanctioned dog events were held in the State in which 8,130 dogs participated; and

WHEREAS, the American Kennel Club estimates that purebred dogs generate \$3,600,000 in annual spending in Hawaii; and

WHEREAS, members of the Hawaiian Kennel Club, various sporting and performance dog clubs, and Hawaii dog fanciers should participate in drafting legislation to prevent animal abuse and puppy mills based upon their expertise and experience in the breeding and training of dogs; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2012, the Senate concurring, that the Director of Commerce and Consumer Affairs is requested to establish a dog breeding task force for the purposes of preventing future instances of animal cruelty by large-scale commercial dogs breeders and protecting the public from purchasing sick and unhealthy dogs; and

BE IT FURTHER RESOLVED that the Director of Commerce and Consumer Affairs, or the Director's designee, is requested to serve as the chairperson and to request interested parties to be members of the task force, including:

- (1) One member appointed by the President of the Senate;
- (2) One member appointed by the Speaker of the House of Representatives;
- (3) Three members representing organizations providing shelter and rescue services to dogs;
- (4) Three members representing dog fanciers;
- (5) One member representing pet stores that sell dogs;
- (6) One member representing veterinarians who provide medical services to dogs; and
- (7) One member representing a county prosecuting attorney's office; and

BE IT FURTHER RESOLVED that the Director of Commerce and Consumer Affairs is requested to convene the task force immediately upon the adoption of this measure and to terminate its proceedings on June 30, 2013; and

BE IT FURTHER RESOLVED that the task force is requested to consider whether revised legislation or other alternatives will prevent future cases of animal cruelty; and

BE IT FURTHER RESOLVED that that the Director of Commerce and Consumer Affairs is requested to submit a report of the task force's findings and recommendations, including any proposed legislation, to the Legislature not less than twenty days prior to the convening of the Regular Session of 2013; and

BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be transmitted to the Director of Commerce and Consumer Affairs.

Paula Kakaio

LATE TESTIMONY

From: Laurellà Pang [relwoodk9s@yahoo.com]
Sent: Wednesday, March 21, 2012 5:04 PM
To: ERBtestimony
Subject: LATE TESTIMONY - In Support of HCR141

I am submitting testimony in strong support of HCR 141 for myself as well as the Aloha State Sporting Dog Association, of which I am the President. The convening of a task force to address the concerns regarding regulation of dogs, breeders, puppy mills is the prudent thing to do at this point. There have been too many problems with the earlier proposed bills (SB2494 and SB2492) with lack of input from stake holders, as well as not addressing the issues they presume to address. More in depth research needs to be done, with much more open input from the dog fancy integrated into any bills. I thank you for your attention.

Laurella Pang

LATE TESTIMONY

From: Jessica Taum [jkktaum@gmail.com]
Sent: Wednesday, March 21, 2012 5:12 PM
To: ERBtestimony
Subject: LATE TESTIMONY - HCR 141

I'm for HCR 141 and am against SB2492 and SB2494.

SB2492 and SB2494 call for unreasonable measures. Either the proposals need to be revised or rid of all together. Animal breeding and other concerns need to be addressed, but HSUS and HHS are going over board, they would not even be able to manage something like they are proposing. They could barely handle the raid in waimanalo. In addition, they don't have any money now, and are charging people a fee who are trying to help control the pet population. What kind of message is that.

Thank you for your time
Sent from my iPad

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 21, 2012 1:50 PM
To: ERBtestimony
Cc: govierj001@hawaii.rr.com
Subject: LATE TESTIMONY - Testimony for HCR141 on 3/22/2012 9:15:00 AM

Testimony for ERB 3/22/2012 9:15:00 AM HCR141

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Susan K. Govier
Organization: Individual
E-mail: govierj001@hawaii.rr.com
Submitted on: 3/21/2012

Comments:

Please adopt HCR 141.

This will provide for thoughtful development of legislation which is suitable to our local community by professionals in our local community which will protect our island dogs and our island people.

HCR 141 is a suitable step to make the issues similar to those discovered at the Bradley International Waimanalo operation in recent years pono for all.

We do not need big money or bossy people from the mainland coming here and telling us what we should do.

Please adopt HCR 141.

(Mrs.)Susan K. Govier

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 21, 2012 3:40 PM
To: ERBtestimony
Cc: futureconsumer@mac.com
Subject: LATE TESTIMONY - Testimony for HCR141 on 3/22/2012 9:15:00 AM

Testimony for ERB 3/22/2012 9:15:00 AM HCR141

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Everett Bransford
Organization: Individual
E-mail: futureconsumer@mac.com
Submitted on: 3/21/2012

Comments:
I strongl support HCR141 and stand in opposition of SB2492.
Everett Bransford
1200 Queen Emma Street #1706
Honolulu HI 96813

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 21, 2012 9:13 PM
To: ERBtestimony
Cc: thomaskano@hotmail.com
Subject: LATE TESTIMONY - Testimony for HCR141 on 3/22/2012 9:15:00 AM

Testimony for ERB 3/22/2012 9:15:00 AM HCR141

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Gail Kano
Organization: Hawaiian Hound Association
E-mail: thomaskano@hotmail.com
Submitted on: 3/21/2012

Comments:

I had previously submitted testimony opposing SB2492 & 2494 because the bills lacked input from people in the dog community who know about breeding and humane care for animals. Therefore, I urge your support for HCR 141 creating a task force of various parties that know more about the caring, breeding, selling and re-homing of dogs as well as persons from the legal and legislative community to draw up a bill that would be fair and equitable for all concerned and that would really stop "puppy mills" from unethical breeding.

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 21, 2012 10:48 PM
To: ERBtestimony
Cc: hawaiidach@yahoo.com
Subject: LATE TESTIMONY - Testimony for HCR141 on 3/22/2012 9:15:00 AM

Testimony for ERB 3/22/2012 9:15:00 AM HCR141

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Kathleen Doi
Organization: Individual
E-mail: hawaiidach@yahoo.com
Submitted on: 3/21/2012

Comments:

Please support HCR 141, it is a step in the right direction in developing a comprehensive approach to our pet population. As a breeder who belongs to the Dachshund Club of America, an AKC Breeder of Merit, member of the Shetland Sheepdog Club of Hawaii, West Oahu Kennel Club, Hawaiian Hound Association, and the Obedience Training Club of Hawaii, I would like to see FAIR, comprehensive and well developed rules for our favorite pets. Please support this bill as we ALL would like to see laws which are enforceable against those who commit acts of cruelty and inhumane treatment of our pets, primarily for profit motives.

Thank you.

LATE TESTIMONY

From: Tina Beatty [tinabeatty@ymail.com]
Sent: Wednesday, March 21, 2012 10:54 PM
To: ERBtestimony
Subject: LATE TESTIMONY - Oppose SB2492

Committee Chair and members of The House of Representatives- I am a dog owner and fancier. I strongly oppose SB2492 . I feel that it is unjust. This bill wrongfully attacks and punishes fanciers who are responsible and care about the well being of the pure bred. Focus should be on the inhumane and irresponsible who have abused their rights to have an animal.

HCR141 : I support HCR141 in regards that an experienced group will be formed in hopes for a fair resolution .

Regards,

Tina Beatty

Sent from my iPhone

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 21, 2012 11:44 PM
To: ERBtestimony
Cc: myra96734@gmail.com
Subject: LATE TESTIMONY - Testimony for HCR141 on 3/22/2012 9:15:00 AM

Testimony for ERB 3/22/2012 9:15:00 AM HCR141

Conference room: 312
Testifier position: Support
Testifier will be present: No
Submitted by: Myra Tamanaha
Organization: Hawaiian Terrier Association
E-mail: myra96734@gmail.com
Submitted on: 3/21/2012

Comments:

Please support HCR 141 to convene a dog breeding task force. I am in support of this action because it appears that other current proposals, i.e., SB 2492, will NOT stop atrocities such as the Waimanalo puppy mill incident from happening again.

The Legislature must consult with dog breeders and dog fanciers to solicit their input instead of trying to pass unenforceable laws; HCR 141 will ensure the participation and voice of the local dog fanciers to be heard.

I have raised dogs for the past 34 years, both as pets and as the occasional show dog. I belong to the Hawaiian Terrier Association, Obedience Training Club of Hawaii, the Bull Terrier Club of America, and the Staffordshire Bull Terrier Club of America. During the legislative session, no members from any of the clubs I belong to were consulted or asked about recommendations regarding proposals to SB 2492, but if passed, this proposal would affect me as a dog owner.

Please consider the passage of HCR 141 as an attempt to gather recommendations from all those interested in the welfare of dogs and those who want to prevent any future puppy mill incidents.