

LATE TESTIMONY



NEIL ABERCROMBIE
GOVERNOR

SHAN S. TSUTSUI
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
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KEALI' I S. LOPEZ
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

TO THE SENATE COMMITTEE ON
JUDICIARY AND LABOR

TWENTY-SEVENTH STATE LEGISLATURE
REGULAR SESSION, 2013

WEDNESDAY, JANUARY 30, 2013
9:30 A.M.

TESTIMONY ON SENATE BILL NO. 414
RELATING TO COMMERCIAL DOG BREEDERS

TO THE HONORABLE CLAYTON HEE, CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on Senate Bill No. 414, Relating To Commercial Dog Breeders. My name is Celia Suzuki, Licensing Administrator of the Department's Professional and Vocational Licensing Division. The Department offers the following testimony in opposition to the bill.

Senate Bill No. 414 creates a new chapter for the regulation of commercial dog breeders by the Department. The bill sets forth the minimum standards of care by commercial dog breeders, establishes licensing requirements for commercial dog breeders, provides for site inspections and investigations, authorizes the Department's

Director to issue cease and desist orders, and provides for civil and criminal penalties for non-compliance.

Over the past several years, public concern over the treatment of dogs has resulted in the introduction of several bills to address ongoing problems. In particular, Senate Bill No. 1522 was introduced during the 2011 Legislative session and carried over to the 2012 Legislative session. In 2011 and pursuant to Senate Concurrent Resolution No. 111, S.D.1, the Auditor analyzed Senate Bill No. 1522 S.D.2 H.D.1, which required the Department to issue licenses to large-scale dog breeders. The Auditor issued her Report in October 2011. The Auditor did not find that Senate Bill No. 1522 met the criteria for the regulation of dog breeders or that the Department was the appropriate regulatory agency.

The Department has the following concerns with Senate Bill No. 414:

(1) Senate Bill No. 414 would require the Department to regulate commercial activity currently outside of the Department's jurisdiction. Section 26-9, Hawaii Revised Statutes ("HRS"), specifies that the Department's mission is to protect the interests of consumers throughout the State and setting standards and to enforce all laws and rules governing the licensing and operation of trades, businesses, and professions, including banks, insurance companies, brokerage firms, and other financial institutions. Commercial dog breeders are a business; they are not a trade or profession. The type of regulation contemplated in this bill is completely different from any of the other businesses that the Department regulates.

The Auditor, in her Report on page 14, also recognized that the regulation of large scale dog breeders represents a departure from the Department's statutory role of supporting professional and vocational groups.

(2) The Department does not have the expertise to regulate commercial dog breeders. As stated above, the Department's regulatory experience is in the area of professions and vocations, as required by §26-9, HRS. As such, the regulation of a commercial activity falls well outside the Department's expertise. As the Auditor concluded on page 14 of her Report, regulation by the Department would require "staff with skill-sets the department does not currently have."

The Department notes that the Auditor also mentioned Oklahoma's Commercial Pet Breeders Act as a model worthy of consideration. The Act provided for regulation by the Pet Breeders Board. In 2012, however, the Oklahoma legislature repealed the Act and substituted it with the 2012 Commercial Pet Breeders Act. The 2012 Act transfers regulatory oversight of commercial pet breeders from the Pet Breeders Board to the Board of Agriculture.

While the Department understands the concerns raised, the Department does not feel that making it responsible for licensing and enforcement of commercial dog breeders is in the long term best interest to protect the public as well as prevent the cruel treatment of dogs. For the foregoing reasons, the Department respectfully opposes Senate Bill No. 414.

Thank you for this opportunity to testify on Senate Bill No. 414.



**TESTIMONY OF PET INDUSTRY JOINT ADVISORY COUNCIL
BEFORE SENATE COMMITTEE ON JUDICIARY & LABOR
SENATE BILL 414**

January 30, 2013

Position: Qualified Opposition

As the world's largest pet trade association, the Pet Industry Joint Advisory Council (PIJAC) appreciates the opportunity to offer this esteemed committee our views on Senate Bill 414. Representing the interests of all segments of the pet industry throughout the United States, PIJAC counts among its thousands of members various associations, organizations, corporations and individuals involved in the commercial pet trade. More specifically, we represent pet breeders, pet product manufacturers, distributors and retailers throughout Hawaii who would be significantly impacted by the legislation before you today.

PIJAC strongly endorses adherence by breeders and pet stores to humane standards of care for companion animals. In fact we have, for many years, provided a highly respected animal care certification program intended to ensure that employees are well trained in the care of the animals they sell; a program that is widely utilized not only by persons in the commercial pet trade but also shelters and humane societies throughout the country, and one that has even been incorporated into law. PIJAC has worked closely with the USDA on effective implementation of the Animal Welfare Act for pets since its inception four decades ago, and has joined hands with state and local agencies to ensure adoption and enforcement of appropriate regulatory standards. Similarly, PIJAC has worked with a number of states that have designed kennel and/or pet store licensure programs. Our association has long been recognized as the voice for a responsible pet trade, and routinely advocates for new statutory standards that are in the best interests of companion animals and the pet-owning public. We also continually seek to advance the voluntary implementation of superior standards in the care, handling and transport of companion animals.

Our opposition to Senate Bill 414 stems not from a government mandate that commercial breeders comply with recognized standards of care – PIJAC fully supports such a mandate – but rather from concerns about the manner in which this particular measure establishes that mandate. **Indeed, we believe that certain requirements of this bill would actually be detrimental to the very animals the legislation is intended to protect!**

**PET INDUSTRY JOINT
ADVISORY COUNCIL**
1140 19th Street, N.W., Suite 300
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Michael Peterson
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NEMA, Inc., Hollis, NH

Gerry Tomas
Tomas Sales & Marketing, Homer Glen, IL

Marcie Whichard
PETCO Animal Supplies Inc., San Diego, CA

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Sandra Moore (FTFFA)
Segrest Farms, Gibsonton, FL

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As the committee is aware, commercial breeders of dogs for the pet industry are already subject to licensing and inspection pursuant to the Federal Animal Welfare Act. Regulations promulgated under that act provide extensive standards for the breeding, housing, transport and general care of pet animals; standards, indeed, which go far beyond those encompassed by SB 414, both in terms of scope and detail. We are cognizant of the contention by some that inspections under the federal law are not adequate. Regardless of one's position on this question, however, PIJAC would urge that care should be taken when considering establishment of a dual care standards for commercial breeders under separate federal and state systems. Only a minority of states has taken this route at all and, when doing so, such states endeavor to fashion a system that will not create conflicting standards between the federal and state licensing schemes.

Unfortunately, that is precisely what this measure would accomplish as currently crafted; conflicting standards between federal and state law. Thus, federal licensees would be required to meet inconsistent requirements. PIJAC urges this committee to carefully weigh such an approach and, particularly, to ensure that substantial scientific research exists to support the need for care standards that deviate with recognized prevailing requirements.

We wish also to respectfully direct the Committee's attention to the provision of this bill that would prohibit possession or control of more than fifty unsterilized dogs over the age of six months at any time. A provision such as this does nothing to advance animal welfare, but is actually detrimental to the welfare of dogs. There is no correlation between the number of animals in a facility and the quality of care those animals receive or the quality of the puppies offered to the public as pets! In fact, **it is inherently impossible to determine the quality of a breeding facility or care of the dogs in that facility based solely on the number of dogs the breeder has.** Some of the largest commercial breeding operators in this country employ state-of-the-art facilities, exceptional and frequent veterinary care, and the highest standards for breeding and raising their animals (exceeding by far what is required by law). Quality of care is based on the resources devoted to caring for the animals, not the number of animals one has.

Furthermore, a prohibition such as this limits the ability of dog breeders to maintain sufficiently diverse blood lines – This will result in an increase in adverse hereditary conditions, to the detriment of the dogs, pet owners and the business itself. Indeed, there is NO ONE that benefits from this provision! **We urge the committee to inquire of any qualified expert as to the likelihood of increased recessive traits when breeding with limited blood lines!**

We were also puzzled to see necessary veterinary care characterized as including direct, hands-on care by a licensed veterinarian for very minor illnesses or injuries. Such an approach is wholly unnecessary for the health and welfare of the animal, and simply makes no sense from a practical perspective. It would be akin to mandating by law that all parents take their children to a medical doctor for any minor scrape or occasional upset stomach.

Though well intentioned in its goals, this bill is contrary to the welfare of pet animals and sound public policy general, with provisions such as these. Any statute promoting humane and healthy breeding of dogs should focus on establishing, and providing appropriate enforcement authority for, standards that will ensure dogs are receiving quality care, nutritional sustenance, appropriate veterinary care, adequate

exercise opportunities and sound, safe transport. This is what is already done through the Animal Welfare Act. And it is a demonstrable fact that pet animals can and are provided humane care in abundance at countless breeding facilities of all sizes. By the same token, there are some breeders who do not comply with appropriate standards; but that has absolutely nothing to do with the number of animals in the facility.

We respectfully urge the committee not to adopt this legislation as currently crafted. PIJAC would be pleased to provide whatever information or assistance the committee may desire in amending this bill to ensure effective legislation that does not penalize breeders for observing high standards.

We thank the committee for its due consideration of our concerns and welcome any questions that any member may have about this testimony and our recommendations for an effective bill.

Respectfully submitted

Michael P. Maddox
Vice President of Government Affairs and General Counsel
Pet Industry Joint Advisory Council

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 12:19 PM
To: JDLTestimony
Cc: towle@hawaiiantel.net
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ginger Towle	West Hawaii Humane Society	Support	No

Comments: We NEED to have more control over Commercial breeders. We are all painfully aware of the cases in the recent past. We are responsible if we don't insist on radical changes.

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Best Friends
ANIMAL SOCIETY

LATE TESTIMONY

5001 Angel Canyon Road · Kanab, Utah 84741-5000 · (435) 644-2001 · www.bestfriends.org

29 January 2013

Senate Judiciary and Labor Committee
415 S Beretania St
Honolulu, HI 96813

Re: Support for SB 414

Dear Chairman Hee and Members of the Senate Judiciary and Labor Committee,

On behalf of Best Friends Animal Society, a national animal welfare organization in its thirtieth year, I am pleased to offer support for Senate Bill 414 as a positive and viable means of improving the regulation of Hawaii's commercial breeding industry.

Puppy mills are an enormous problem in this country. These facilities, which supply most U.S. pet stores and online retailers, are cruel and inhumane factories in which profit and maximum productivity take priority over the health and welfare of the animals. Our own Dr. Frank McMillan testified in the tragic Bradley International puppy mill case in Oahu that spotlighted the critical need for this kind of legislation.

Although the USDA regulates commercial breeding facilities that sell wholesale, their standards do not ensure a humane life for dogs; in fact, they do little more than require food and water. These types of kennels can legally have hundreds - often a thousand - dogs in one facility, and these dogs are often confined to very small cages for their entire lives.

Because the goal is to make a profit, puppy mill owners must cut corners to keep expenses low and profits high. For the unsuspecting consumer, this frequently results in the purchase of a puppy facing an array of immediate veterinary problems or harboring genetic diseases that surface down the line, well after the pet store's warranty or state lemon law is applicable. This creates a financial burden on the consumer and results in many of these dogs being surrendered to overcrowded, taxpayer-subsidized shelters.

Between two and four million puppies are bred in licensed and non-licensed facilities in the U.S. every year, while two to four million animals are killed in U.S. shelters every year -- at taxpayer expense. These are not defective, unadoptable pets, but a surplus caused by the fact that there are simply not enough homes for them. It makes little sense to continue manufacturing dogs when so many are being killed for lack of space. Public education has been effective, but until communities take the initiative to limit the supply of animals being produced in these commercial facilities, there can be no hope of preventing these unnecessary deaths.

Best Friends applauds the state of Hawaii for taking a compassionate, common sense initiative to addressing the puppy mill crisis in your community, and setting a positive example for the rest of the country to follow. We are proud to support you in your efforts, and hope you will let us know if there is anything we can do to help.

Thank you for your consideration of this important proposal.

Respectfully,

Elizabeth Oreck

Elizabeth Oreck
National Manager, Puppy Mill Initiatives
Best Friends Animal Society
puppymills.bestfriends.org
elizabetho@bestfriends.org
(818) 521-0355

January 30, 2013

Testimony in Opposition to SB 414

Senate Committee on Judiciary and Labor. Date of Hearing: Wednesday, January 30, 2013

Submitted by: Hawaiian Chinese Shar-Pei Club, a member of The Chinese Shar-Pei Club of America, an affiliate of the American Kennel Club, America's Largest Registry of Pedigree Dogs

Dear Chair Hee, Vice-Chair Shimabukuro, and Committee Members.

The Hawaiian Chinese Shar-Pei Club respectfully submits its testimony in opposition to SB 414.

We are tempted to begin by saying, "Here we go again," in regard to the issue of dog breeder legislation. Every year, our club members, and hundreds of dog fanciers around the state of Hawaii, must face the HSUS and others insistence that we be regulated "*out of business*." As if, breeding dogs in Hawaii is a **business** for any of us speaking to you today. We, who are hobby breeders, enjoy breeding, training and showing our dogs. We are members of the largest breed registry in the United States of America. All of us oppose this attempt to micromanage our hobby!

Every year, you hear bill after bill trying to micromanage the dogs, and their breeders in Hawaii. Every year, we muster our best defense against these out of state, and out of touch organizations, with lots of money to lobby you. Why trust them at all? Why not listen to us? We live and work here, we pay our taxes and we love our dogs and our hobby.

All these pages of SB 414 seem to profess an understanding of just what we should be doing and just how we should be doing it! Owning more than ten female dogs, attempting to force the veterinarians of Hawaii to become breeding program experts, making the local Humane Societies the "officers" of control is sheer nonsense!

Think about it – you want our homes and yards and buildings open to inspection. You want vets to tell us what to do with our dogs. The attempt to regulate the lives of our pedigree dogs from the age of twelve weeks to death is absolutely impossible! If this bill succeeds, dogs will be measured for height, examined for breed propensities to determine exercise requirements, figure out the number of litters they may have and when they may have them, limit their numbers altogether, and charge fees (taxes) to simply exist!

Please consider the plea of those of us who enjoy this hobby. Please consider that those filing these bills against us are not supported by either the American Kennel Club or the Cat Fanciers Association.

If you continue to consider these onerous bills, if you allow passage of them, you will eliminate the pedigree dogs and cats from our state.

We urge the committee not to adopt SB 414. We appreciate your time and attention.

Yours in dogs,

Charlee Abrams, President

Hawaiian Chinese Shar-Pei Club

The Golden Retriever Club of Hawaii Rescue and Breeder Referral Program is in strong opposition to SB414.

This is a bill which has been again reintroduced without the input of responsible breeders and fanciers. Last year a resolution creating a Task Force made up of stakeholders was approved by the House of Representatives in order to discuss the issue of animal cruelty and abuse experienced in puppy mills. This Resolution was killed in the Senate.

SB414 would not help eliminate puppy mills, however it will eliminate responsible and caring breeders. Many of our members only own a few intact dogs, however they do coown most of the puppies they have bred. These puppies often return to the breeder's homes for training or boarding. Any limit on dogs could easily be exceeded on any one day. Additionally, how will it be determined which female dogs are spayed or not without physical inspections? What is adequate care and housing? Who determines who gets a license? Is the DCCA capable, willing, and budgeted to enforce this licensing and regulation?

Additionally, this bill would allow for unannounced inspections of "suspected" commercial breeders without due process and search warrants. Obviously this is unconstitutional. As we all know, it only takes a disgruntled neighbor, ex spouse, or even a dog show competitor to make a complaint about a "suspected" puppy mill. This bill gives the enforcing authority the right to enter a home and search any area in which breeding activities may be occurring. This could be a bedroom, den, baby's nursery, or anywhere. Who would be doing these inspections? Would it be a sheriff? Would it be a policeman? Would it be a county dog catcher? If there truly is animal neglect and abuse AND probable cause, a search warrant could be obtained in a few hours like it was obtained for the Waimanalo Puppy Mill.

The Golden Retriever Club of Hawaii Rescue organization wants to put an end to puppy mills in Hawaii. However by eliminating responsible breeders, opportunists who profit from running puppy mills will flourish.

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 10:15 AM
To: JDLTestimony
Cc: g2@hokua.org
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ginny Tiu	Individual	Support	Yes

Comments: We shake our heads at the atrocity of the Waimanalo Puppy Mill, so I urge you to PLEASE pass SB414, to prevent this from happening again. Breeders, like the rest of us, need to know that there are consequences to their actions, and that they cannot profit at the expense of these helpless animals. Also, the consumer needs to be protected as well, and without proper regulation, they are spending a lot of hard earned money, for unhealthy dogs, which will cost them more money to care for. Thank you very much for doing the humane and ethical thing, by passing SB 414. Ginny Tiu

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 11:24 PM
To: JDLTestimony
Cc: kale@k9kokua.org
Subject: *Submitted testimony for SB414 on Jan 30, 2013 09:30AM*

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kale	Individual	Support	Yes

Comments:

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 5:47 PM
To: JDLTestimony
Cc: Swalden@honolulu.gov
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013
Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Sharon walden	Individual	Support	No

Comments: I support this measure

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LATE TESTIMONY

Tuesday, January 29, 2013

To: Senate Committee

Re: SB 233

Dear Committee Members:

As pet owner and pet store owner, I support appropriate standards for the care of all dogs, however, I strongly oppose any legislation that includes a set limit on the number of dogs a breeder may own. A breeder may have many dogs and care for them responsibly. At the same time, someone may have 2 dogs that they breed that are not cared for properly. The concern should be quality of care, not quantity of animals. Also, limiting the ability of dog breeders to maintain many different bloodlines could result in increased in adverse hereditary conditions. This would not only be detrimental to the dogs, but also to pet owners who may have large veterinary bills. In addition, I oppose unnecessary and excessive requirements, such as mandated veterinary visits for very minor illness or injury.

Also, this bill does not mention the dollar amount in regards to licensing fees. If there is to be a licensing fee, then the amount should be fair, reasonable and a set dollar amount.

Respectfully submitted,

Debbie Baker
Owner/Member
The Pet Hale

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 12:02 PM
To: JDLEstimony
Cc: Cavalry50@aol.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Wilson	Individual	Support	No

Comments: Please enough already. Please provide regulation and controls. I fullt support this measure.

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 12:43 PM
To: JDLTestimony
Cc: spikecat1@aol.com
Subject: *Submitted testimony for SB414 on Jan 30, 2013 09:30AM*

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Aikawa, MD	Individual	Support	No

Comments:

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 10:02 AM
To: JDLTestimony
Cc: svp186@aol.com
Subject: *Submitted testimony for SB414 on Jan 30, 2013 09:30AM*

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Shirley von Platen Luder	Individual	Oppose	No

Comments:

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LATE TESTIMONY

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 10:20 AM
To: JDLTestimony
Cc: rabakerhawaii@msn.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013
Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
RICKY BAKER	Individual	Oppose	No

Comments: I, as an animal lover myself, support appropriate standards of care for all dogs but strongly opposes any legislation that includes an arbitrary limit on the number of dogs a breeder may have. There is no correlation between the number of animals a person owns and the quality of care those animals receive. Furthermore, a prohibition such as this limits the ability of dog breeders to maintain sufficiently diverse blood lines resulting in an increase in adverse hereditary conditions, to the detriment of pets and pet owners. I also oppose unnecessary and excessive requirements, such as mandated veterinary visits for very minor illness or injury. I also am very concerned about the licensing fees that may be imposed, as there is no indication of what those fees might be in this measure. Although as a pet store owner, I do not purchase puppies from commercial breeders, I feel it necessary to oppose this measure that restricts the activities of those that raise puppies responsibly and humanely. Respectfully, Ricky a Baker

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LATE TESTIMONY

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 10:26 AM
To: JDLEstimony
Cc: ronatotoki@aol.com
Subject: *Submitted testimony for SB414 on Jan 30, 2013 09:30AM*

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Rona Totoki	Individual	Oppose	No

Comments:

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 10:29 AM
To: JDLTestimony
Cc: lchunt1@hawaiiantel.net
Subject: *Submitted testimony for SB414 on Jan 30, 2013 09:30AM*

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
linda hunt	Individual	Oppose	No

Comments:

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 1:54 PM
To: JDLTestimony
Cc: angelaleslee@gmail.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Angela Leslee	Individual	Oppose	No

Comments: Once again, dog breeders are being targeted under the guise of legislating against puppy mills. There are already plenty of bills on the books to prosecute puppy mills should they be necessary.

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Senate Committee on Judiciary and Labor,

I oppose SB414 for several reasons.

One reason is that I don't believe that there should be a limit of 50 intact dogs per breeder. The number of dogs has nothing to do with the quality of care that they're receiving. It is also in the bill that there will be a licensing fee, but it gives no estimate of the amount it will be.

Another problem is that there should not be a law saying how often a dog should be taken to the vet, or that he/she should be taken to the vet for ANY illness or injury. It is unrealistic, and in some cases, would be very unnecessary.

On the same note, euthanasia is a decision that should be made by the owner. In some cases euthanasia is the best option for the dog, but it is not a decision that should be made/enforced by anyone besides the owner of the dog.

Lastly, one of my biggest concerns is that certain records must be kept and are subject to inspection. One of the records in the bill is the buyer/new owner of the pet's name and address. That is a violation of the buyer's privacy. It is likely that the buyer would not be aware of the fact that their information would be made available during an inspection.

I manage my family's pet store (The Pet Hale) and I believe that there is a need for stronger animal-related laws. SB414 is just not the right approach.

Respectfully,
Casey Baker

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 9:42 PM
To: JDLTestimony
Cc: brandypink@msn.com
Subject: *Submitted testimony for SB414 on Jan 30, 2013 09:30AM*

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Brandy Baker	Individual	Oppose	No

Comments:

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 10:47 PM
To: JDLTestimony
Cc: cdfeld1@hotmail.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Feld	Individual	Oppose	No

Comments: Strongly oppose! This bill will NOT address what the prosecutor wants to accomplish!

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Senator Clayton Hee and members of the Senate Judiciary Committee:

Responsible dog & cat breeders do not condone the actions of David Becker or the Luke family. We go to great lengths to obtain the healthiest breeding stock, breed true to the breed standards, and to make sure that each life we bring in to this world is given a good home. We volunteer countless hours rescuing dogs we did not breed (including the Waimanalo pups), providing public education on selecting breeds and purchasing animals, training dogs, work that goes unrecognized by the public.

I come before you to oppose SB 414 for the following reasons:

1. Whether animals are intact or not does not make them breeding stock. 6 months is an unreasonable age to declare a dog a breeding female. Most responsible dog breeders will not consider breeding a bitch until 2 years old and after having all health clearances done.
2. The bill provides for a cease and desist order if there is reasonable cause to believe a violation has occurred and the person can request a hearing. However, they have only 24 hours to comply and it is unlikely that they will get a hearing within 24 hours. The bill provides that a stay cannot be granted before a hearing. Therefore, anyone would be in violation after 24 hours. At that time, a request can be made for a temporary restraining order and injunctive relief. The request for a hearing should result in an automatic stay until it has been determined that a violation exists.
3. The measure does not indicate how "for the purpose of breeding" would be determined; therefore, the owner of 10 intact females could be subject to licensing if a single puppy is sold or placed.
4. Minimum standards of care already exist in HRS.
5. The State auditor already determined in their 2011 Sunrise analysis that there are better alternatives than licensing dog breeders.
6. This bill assumes that anyone who fits the description is automatically labeled a commercial breeder and subject to unannounced inspections. The problem is that the commercial facilities are our homes and not a place of business. Our homes would be subject to unannounced inspections!
7. This bill also states that "after a denial, suspension, or revocation of a license for a commercial dog breeder, the department shall have free and unimpeded access to the premises -----to verify that operation of a commercial dog breeder has ceased." Access includes all areas in which there is probable cause to believe dogs are being kept! There is NO time limit specified in this bill!
8. This bill states it will literally give the director of this department a blank check to write anything they wish in regard to administration and enforcement of this bill! The director can even administer oaths and issue subpoenas!
9. Every dog must have a physical exam by vet once year ... whether need it or not. Do you have a yearly physical?

The City Prosecutors Office was able to successfully find both the Luke Family and David Becker guilty of animal cruelty. No one was happy about the sentences issued. So how does this bill help correct that situation?

Lynn Muramaru

President

Terriers In Paradise-Hawaii, Inc.

Member Hawaii Companion Animal Coalition

Christopher Feld

Constituents of Sen. Mike Gabbard

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 7:21 PM
To: JDLTestimony
Cc: barbarak@hawaii.rr.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Krasniewski	Individual	Oppose	No

Comments: I wish to testify in very strong opposition to SB414. This bill will adversely affect the hobby breeders in Hawaii. Subjecting responsible breeders to unannounced inspections on their property a search warrant goes against the basic freedoms granted to citizens of the United States. SB414 will not prevent puppy mills. It will only serve as punishment to good, responsible breeders. Rather than restricting the number of dogs and the number of intact dogs, this committee would be wise to establish a task force to bring all of the affected parties together to study e problem of puppy mills which everyone finds deplorable. However, the problem can be solve without having responsible breeders give up their right to privacy and be handicapped by governmental restrictions. Hawaii needs to have quality pure breed dogs. With the lifting of quarantine restrictions, Hawaii dog fanciers are finally able to compete in Mainland shows. It would be nice to be able to promote Hawaii as a dog friendly destination, one that is capable of hosting national and international dog competitions. Please hold SB414. Form a task force to report back to the Legislature with input from all interested parties with the end result being legislation that will make it impossible for "puppy mills" to operate. But, do not punish responsible breeders.

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 8:49 PM
To: JDLTestimony
Cc: fujimojy@lava.net
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Joanne Fujimoto	Individual	Oppose	No

Comments: I oppose this bill because it is too broad in its wording. A. define a commercial breeder? it is a person that breeds 1, 2, 3, times a year or one that breeds once every three years. B. define director? who has the full authority to invade my home and jeopardize my property and take me to court. This is my amendment right to privacy. C. Why should a dog have to be 42 inches above the ground and have a foot above his head in a crate? Even the airlines don't require this!

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 8:55 PM
To: JDLTestimony
Cc: president@grchawaii.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM
Attachments: Opposition to SB414.doc

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Golden Retriever Club of Hawaii	Golden Retriever Club of Hawaii	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 9:05 PM
To: JDLTestimony
Cc: hokunme@hawaii.rr.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Charlotte Hee	Individual	Oppose	No

Comments: This bill will not eliminate puppy mills but will, instead, eliminate responsible dog breeders.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 9:06 PM
To: JDLTestimony
Cc: ozako@hotmail.com
Subject: *Submitted testimony for SB414 on Jan 30, 2013 09:30AM*

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lorene Maki	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 1:01 PM
To: JDLTestimony
Cc: gcylbz@lava.net
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Gerald Luke	Individual	Comments Only	No

Comments: I am in opposition of SB414. "Announced or unannounced" inspection without a specified preliminary regimen can lead to abuse. The absence of any mention of the court system or the police to be involved does not provide for a fair and regulated approach. Many breeders work from their private residences and "search and seizure" (my words) is problematic. Empowerment of a "director" who MAY act on the unsupported words of a complainant to jeopardize the rights of a "commercial breeder" just because of a requirement for persons to become "commercial breeders" by law is too "one-sided". I present this scenario; The law requires that a person become licensed as a "commercial breeder". Then a neighbor complains about a barking dog. The "director" approves a "unannounced" inspection. The inspector "finds" an enclosure 42-1/2" inches off the floor. The department enforces any or all of its civil penalties. The proposed law does not equally protect both parties. I oppose SB414.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 9:22 PM
To: JDLTestimony
Cc: brittleiatice@gmail.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Brittany Scott	Individual	Comments Only	No

Comments: I strongly believe that we need to get rid of puppy mills altogether. No living being should be subjected to this type of life or situation. Not to mention there are so many dogs/puppies in need of loving homes already. And when there are so many out there who will live sometimes the extent of their whole lives outside or in a shelter, how can we continue to purposely breed them for own benefit?

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 29, 2013 10:03 PM
To: JDLTestimony
Cc: kakogachi@gmail.com
Subject: Submitted testimony for SB414 on Jan 30, 2013 09:30AM

SB414

Submitted on: 1/29/2013

Testimony for JDL on Jan 30, 2013 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kacey Kogachi	Individual	Comments Only	No

Comments: I believe the only way to protect these animals is through abolishing puppy mills. There are so many dogs in need of homes who would have a chance at living in healthier conditions if puppy mills did not exist. No dog or any living being should be forced to live in the types of conditions that puppy mills entail, and the only way to prevent this from happening would be to abolish breeding.

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