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PRESENTATION OF  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
TO THE HOUSE COMMITTEE ON JUDICIARY  
TWENTY-NINTH STATE LEGISLATURE  
Regular Session of 2017  
THURSDAY, FEBRUARY 23, 2017  
2:00 p.m.

**TESTIMONY ON HOUSE BILL NO. 185, H.D. 1, RELATING TO ANIMALS.**

TO THE HONORABLE SCOTT Y. NISHIMOTO, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on House Bill No. 185, H.D. 1, Relating to Animals. 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 SECTION 1 of the bill and takes no positions regarding the remainder of the bill.

House Bill No. 185, H.D. 1, creates a new chapter for the regulation of dog breeders by the Department. The bill establishes licensing requirements for 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 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 a Report in October 2011. The Auditor did not find that Senate Bill No. 1522 met the criteria for the regulation of large scale dog breeders or that the Department was the appropriate regulatory agency.

The Department has the following concerns with House Bill No. 185, H.D. 1:

(1) House Bill No. 185, H.D. 1 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. Dog breeders run 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.

On page 14 of the Auditor's 2011 Report, it was 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 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 the 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. That 2012 Act transferred regulatory oversight of commercial pet breeders from the Pet Breeders Board to the Oklahoma Board of Agriculture.

(3) Section 1 of the bill substantively appears to serve no particular consumer protection or regulatory purpose, which the measure's current committee referral would seem to support. While sections 2 to 6 of the bill makes substantive changes to the Penal Code, section 1 of the bill merely creates a registration function. If the intent of section 1 of the bill is to create a registration scheme to assist in the implementation of the other criminal sections of the bill by more readily identifying persons or entities engaged in particular conduct, the department believes that there are less burdensome ways of fulfilling this non-consumer protection function, such as the creation of a registry similar to those laws relating to scrap dealers and alarm installations.

Testimony on House Bill No. 185, H.D. 1  
Thursday, February 23, 2017  
Page 2

While the Department understands the concerns of the Legislature, the Department does not feel that making it responsible for licensing and enforcement of 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 SECTION 1 of House Bill No. 185, H.D. 1.

Thank you for this opportunity to testify on House Bill No. 185, H.D. 1.

**LATE**

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
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FIRST DEPUTY PROSECUTING ATTORNEY



**THE HONORABLE SCOTT Y. NISHIMOTO, CHAIR**  
**HOUSE COMMITTEE ON JUDICIARY**  
**Twenty-Ninth State Legislature**  
**Regular Session of 2017**  
**State of Hawai`i**

February 23, 2017

**RE: H.B. 185, H.D. 1; RELATING TO ANIMALS.**

Chair Nishimoto, Vice-Chair San Buenaventura, and members of the House Committee on Judiciary, the Department of the Prosecuting Attorney, City and County of Honolulu submits the following testimony in support of H.B. 185, H.D. 1, particularly Section 1, which is very similar to a bill the Department supported in 2011.

H.B. 185, H.D. 1, would establish a licensing system for large scale dog breeders under the Department of Commerce and Consumer Affairs (“DCCA”), with civil and criminal penalties for violations or circumventions of the licensing system. Given various cases that have been brought to the Department’s attention, it is clear that large-scale dog breeders do exist in Hawaii, though the exact number is difficult to determine under current laws. Unless formal complaints are made by neighbors or other interested individuals, law enforcement generally has little or no knowledge of how anyone treats the animals on their property, or how exactly many animals are kept on the property. By the time officials are alerted, the situation can be dire or beyond hope for the animals living there.

The Department strongly believes that animals, particularly pet animals such as dogs, are entitled to a minimum standard of care from their owners, and further believes that the public is entitled to certain minimum expectations when they purchase a dog, which are often purchased for hundreds or even thousands of dollars each, and require a lifelong commitment of care. While the maltreatment or neglect of one animal is bad enough, the problem is compounded exponentially when it affects dozens or even hundreds of dogs at a time, which can then produce multiple litters of puppies.

The Department generally supports the other sections of the bill, but notes some concern about the enforceability of certain language:

- Page 10, lines 5 & 11-13: “shall not...have...contact with any animal”
- Page 11, line 18-19: “federal or state threatened or endangered animal” --  
→ Does this include all threatened or endangered species of bugs, insects and crustaceans? Any exception for pest control? Please see HRS §711-1109, Cruelty to animals in the second degree, for comparison.

The Department believes that H.B. 185, H.D. 1, would work alongside existing laws to prevent certain forms of animal cruelty not already covered by statute, and serve as a much-needed deterrent to those who may be inclined to over-breed or wrongfully breed dogs. For all of the foregoing reasons, we support the passage of H.B. 185, H.D. 1. Thank you for this opportunity to testify.



**Hawaiian Humane Society**  
People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826  
808.356.2200 • [HawaiianHumane.org](http://HawaiianHumane.org)

Date: Feb. 21, 2017

To: Chair Rep. Scott Y. Nishimoto  
Vice Chair Rep. Joy A. San Buenaventura  
and Members of the Judiciary Committee

Submitted By: Stephanie Kendrick, Public Policy Advocate  
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB185: Relating to Animals  
Thursday, Feb. 23, 2017, 2 p.m., Capitol conference room 325

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Aloha Chair Nishimoto, Vice Chair Buenaventura and Committee Members,

The Hawaiian Humane Society supports the passage of HB185, which would require the licensing of large-scale dog breeders, extend protection to threatened or endangered animals and strengthen the animal abandonment law.

The Society has long advocated for the licensing of large-scale dog breeders. We believe that people engaged in the breeding of pets should be required to meet at least minimal animal welfare standards to prevent the suffering and mistreatment of animals.

The inspection requirements related to large-scale dog breeders in HB185 are clear and are needed to assure minimum standards of care are met.

The Society also supports the intent of the animal cruelty section of HB185, which would extend important protections to additional animals, such as those listed as threatened or endangered by the state or federal government, and strengthen the abandonment law.

The Society applauds the committee's consideration of HB185 and recommends its passage.

Please let me know if I can be of assistance. Thank you for your consideration.



Date: Feb. 22, 2017

To: Chair Rep. Scott Y. Nishimoto  
Vice Chair Rep. Joy A. San Buenaventura  
and Members of the Judiciary Committee

RE: Testimony in support of HB185: Relating to Animals

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The Hawaii Island Humane Society stands with other Animal Welfare Organizations in strong support of HB185, which would require the licensing of large-scale dog breeders, extend protection to threatened or endangered animals and strengthen the animal abandonment law.

The Society has long advocated for the licensing of large-scale dog breeders. We believe that people engaged in the breeding of pets should be required to meet at least minimal animal welfare standards to prevent the suffering and mistreatment of animals.

The inspection requirements related to large-scale dog breeders in HB185 are clear and are needed to assure minimum standards of care are met.

The Society also supports the intent of the animal cruelty section of HB185, which would extend important protections to additional animals, such as those listed as threatened or endangered by the state or federal government, and strengthen the abandonment law.

The Society applauds the committee's consideration of HB185 and recommends its passage.

Please let me know if I can be of assistance. Thank you for your consideration.

Donna Whitaker  
Executive Director  
Hawaii Island Humane Society





**Maui Humane Society**  
P.O. Box 1047  
Pu'uene, Hawai'i 96784  
P# 808.877.3680  
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www.mauihumane.org

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 **Date:** Feb 22, 2017




 **To:** Chair Rep. Scott Y. Nishimoto, Vice Chair Rep. Joy A. San Buenaventura,  
and Members of the Judiciary Committee


 **Submitted By:** Jerleen Bryant, Maui Humane Society CEO, 808-877-3680  
 x215



 **RE:** Testimony in support of HB185: Relating to Animals  
 Thursday, Feb. 23, 2017, 2 pm, Capitol conference room 325

 Aloha Chair Nishimoto, Vice Chair Buenaventura and Committee Members,


 The Maui Humane Society supports the passage of HB185, which would  
 require the licensing of large-scale dog breeders, extend protection to  
 threatened or endangered animals and strengthen the animal  
abandonment law.

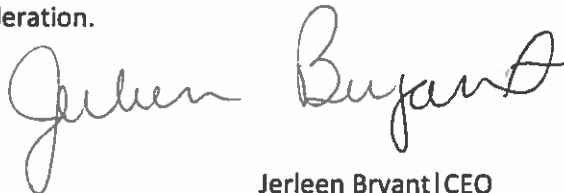
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 be required to meet at least minimal animal welfare standards to prevent  
the suffering and mistreatment of animals.

 The inspection requirements related to large-scale dog breeders in HB185  
 are clear and are needed to assure minimum standards of care are met.

 The Society also supports the intent of the animal cruelty section of HB185,  
 which would extend important protections to additional animals, such as  
those listed as threatened or endangered by the state or federal  
government, and strengthen the abandonment law.

 The Society applauds the committee's consideration of HB185 and  
recommends its passage.

 Please let me know if I can be of assistance. Thank you for your  
consideration.



Jerleen Bryant | CEO  
Maui Humane Society  
808-877-3680 ext. 215  
[www.MauiHumaneSociety.org](http://www.MauiHumaneSociety.org)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 11:23 AM  
**To:** JUDtestimony  
**Cc:** shyaura@hotmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
leslie farnel	for forgotten felines	Oppose	No

Comments: For Forgotten Felines a Hawaii non profit and its members oppose this bill unless wording is added that poisoning excludes feral cats and pest control excludes feral cats.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)



# Neighborhood Cats

*the feral cat experts!*

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Bryan Kortis, Esq.

February 22, 2017

House Committee on Judiciary

Re: HB185

Dear Chair Nishimoto, Vice Chair San Buenaventura and Committee Members,

Neighborhood Cats wishes to express our strong support for HB185 and requests two modifications to the current amended version of the bill (HB185 HD1).

As an organization that has worked closely with animal shelters and rescue groups throughout the United States, including on the ground here in Hawaii, Neighborhood Cats has seen firsthand the devastation that can be caused by the unregulated breeding of companion animals, including dogs. Cruelty, euthanasia due to overpopulation, genetic defects through in-breeding and more are common when breeders are held to no standards. HB185 will change that.

Regarding animal cruelty, HB 185 increases protection of animals by including more of them within the scope of felony offenses. We do request a modification that all animals be included within the scope of felony offenses, not only the ones listed in the proposed amended version of section 711-1108.5(a).

Finally, HB185 looks to strengthen the animal abandonment law. We are concerned the amended version could mistakenly be used to target good Samaritans who sterilize feral or free-roaming cats and return them to their original locations. We therefore urge this Committee to further amend section 711-1109.7(a) to read, "It shall be unlawful for a person to intentionally, knowingly, recklessly, or negligently leave an animal at a location without providing for the animal's continued care, or without having a reasonable basis for believing continued care is being provided by another."

Thank you for considering our views,

Bryan Kortis, Esq.  
National Programs Director



# AMERICAN KENNEL CLUB

**Phil M. Guidry, J.D.**  
Sr. Policy Analyst  
Government Relations

Thursday, February 22, 2017

The Honorable Scott Y. Nishimoto  
Chairman, Hawaii House Committee on Judiciary  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

## **RE: American Kennel Club Opposes House Bill 1516, Concerned with House Bill 185**

Chairman Nishimoto and Members of the House Judiciary Committee:

The American Kennel Club (AKC) writes today with serious concerns on the following bills that you are scheduled to consider on Thursday, February 23. We respectfully request committee action in line with our recommendations.

The American Kennel Club is deeply concerned with the following:

- **House Bill 1516** seeks to vastly expand the cases in which a humane society may petition a court for forfeiture of an animal.

The American Kennel Club strongly supports the humane treatment of dogs and believes that no dog should be kept in circumstances where its needs cannot be adequately fulfilled. We strongly believe that those convicted of animal cruelty should be held accountable, including paying for the costs of caring for the animals they mistreated.

Current law provides that in criminal cases, a humane society or SPCA holding an impounded animal may file a petition to the court requesting the court issue an order of forfeiture of the pet. The court must conduct a hearing within 14 days, and if it determines that if probable cause exists that that the defendant cruelly treated the animal, the court shall order the forfeiture of ownership of the animal. Defendants may preserve their ownership rights through the duration of the criminal case against them by posting a security bond or if they demonstrate that a proper care alternative has been arranged for the pet. Further the court may waive the requirement that a defendant post security for good cause shown. These provisions help ensure that a defendant is not erroneously deprived of their ownership rights, especially indigent defendants incurring significant costs to defend themselves.

**In effect, current law provides procedural protections for defendants not yet convicted. HB 1516, however, would do away with those.** The bill would remove the requirement that cases be criminal in nature, and would remove procedural protections currently provided defendants. Furthermore, in cases where a person is found not guilty or where charges were dropped, a defendant would be permanently deprived of their property, with no recourse, regardless of never having been proven to have committed a crime or violation.

We are not alone in our concerns over the permanent erroneous deprivation of an innocent individual's property rights in their animals. A federal district court declared a similar lack of

procedural protections unconstitutional in 2009. (*Louisville Kennel Club, Inc. v. Louisville/Jefferson County Metro Government*, Civil Action No. 3:07-CV-230-S., October 2, 2009.)

Like current law, HB 1516 also fails to specifically protect the property interests of non-possessory co-owners of impounded animals.

For these reasons, the AKC opposes HB 1516 as introduced, and implores you to not approve HB 1516.

- **House Bill 185** seeks to create licensing and oversight of “dog breeders”, which are defined as those who (1) for compensation or provide, sells or offers for sale, via any means including the internet, 25 or more of the offspring of breeding female dogs in any one-year period and is engaged in the business of breeding intact female dogs; (2) owns/harbors 20 or more intact female dogs over six months of age intended for breeding; or (3) owns/harbors 30 intact dogs over six months of age intended for breeding on the premises.

AKC’s first concern with HB 185 is that the term “dog breeders” sounds all-encompassing, but actually applies only to a subset of Hawaii’s dog breeders. We encourage changing the term to “large-scale dog breeders” or something similar, which would more accurately reflect the intentions and provisions of the legislation.

Further, we argue that Hawaii has no need for this legislation due to a lack of breeders who would qualify as “dog breeders” based on either the commerce or possession requirements of that definition.

For these reasons, we request that you not approve HB 185 as currently written.

We appreciate your consideration of these concerns. We along with our Hawaii federation of dog clubs, the Pacific Pet Alliance, are happy to further assist you in crafting reasonable and effective laws that respect Hawaii’s responsible dog owners and breeders.

Sincerely,



Phil M. Guidry, JD  
Sr. Policy Analyst, AKC Government Relations

*The American Kennel Club was established in 1884 and promotes the study, breeding, exhibiting, and advancement of purebred dogs. We represent over 5,100 dog clubs nationally, including 42 clubs in Hawaii. We advocate for the purebred dog as a family companion, advance canine health and well-being, protect the rights of dog owners, and promote the ideals of responsible dog ownership. As the world’s largest purebred dog registry, the nation’s largest purebred rescue network, and the only not-for-profit purebred dog registry devoted to the health and wellbeing of all dogs, the American Kennel Club actively advocates for humane treatment of all dogs.*



**LATE**

TO: House Judiciary Committee  
February 23, 2017, 2pm

FROM: Inga Gibson, West Hawaii Humane Society  
PO Box 1208, Kailua-Kona, 96745

RE: STONG SUPPORT HB185; Relating to Animals

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Dear Chair Nishimoto and Judiciary Committee members,

The West Hawaii Humane Society strongly supports HB185. This measure would provide much needed but modest oversight of large scale dog breeders and strengthen penalties for the abuse of protected species and other crimes against animals, such as intentional abandonment.

Hawaii is one of but a few states without any laws or regulations for large scale dog breeders. Like any business, they should be regulated in the interest of consumer protection and the health and welfare of the animals that are being sold to the public. Responsible breeders should not object to the proposed modest regulations to ensure the animals being bred and sold are in good health and raised in acceptable conditions. Unfortunately, due to our lack of adequate laws or regulations, it has only been after dogs have been found deceased or severely ill that law enforcement has been able to take action. Registration of breeders helps to identify such conditions before the animals are suffering extensively.

This measure also extends protections to threatened or endangered species. Our current felony animal cruelty statute only applies to “pet” and “equine” animals thus, we fully support the addition of any/all other species, as they (all non-human animals) are covered under our second-degree animal cruelty statute. Law enforcement and prosecutors should have the discretion, based on the severity of the case and totality of the evidence, to charge as a misdemeanor or a felony, as we witnessed with the atrocious albino cross killing at Kaena Point.

Finally, this measure also aims to strengthen existing penalties and prohibitions for those convicted of serious crimes against animals. Research has long demonstrated that those who abuse animals are more likely to escalate to violence against people and all other manner of crimes. We fully support holding those accountable for such actions, including prohibiting the ownership of other animals upon conviction and raising penalties for certain intentional crimes.

Thank you for your consideration of this testimony.

Best, Inga Gibson  
West Hawaii Humane Society  
[westhawaiihumanesociety@gmail.com](mailto:westhawaiihumanesociety@gmail.com)  
808.922.9910



**LATE**

Testimony in **Opposition** of HB 185 HD 1

Rep. Scott Nishimoto, Rep. Joy San Buenaventura and members of the House Judiciary Committee:

The Pacific Pet Alliance is a Hawai'i non-profit organization that promotes responsible pet ownership through education and advocacy.

The Pacific Pet Alliance (PPA) would like to submit testimony for your consideration regarding the licensing of dog breeders.

In light of two recent dog breeding operations ( the Luke Family of Waimanalo and James Montgomery of Kahaluu), PPA acknowledges the primary intent of this bill, to avert the atrocities that the dogs involved were subjected to, however licensing breeders would not have prevented these situations. The Lukes and Montgomerys would never have applied for a license. The Hawaiian Humane Society was assisted with “inside” information that helped them in their investigations.

PPA strongly **opposes HB 185 HD1** which is far too overbearing and has the ability to **violate Due Process** of everyday citizens. This bill is before you today because our judicial system is a series of checks and balances. If passed in its current form, this bill will make it easier for the humane societies/law enforcement to remove and adopt out animals but what happens if the person charged is innocent? The animals that they loved and were part of their families would be gone forever before the owners had their day in court. We ask you and the State Attorney General's Office to be judicious and consider these matters.

This bill would eliminate the need for search warrants, it would allow registration records to be seized, it could charge you for actions they feel you are about to engage in but haven't done yet. The way this is written, means that as long as there is proof you “own” the stated number of dogs, the dogs don't have to be physically present on your property. Every intact animal over the age of 6 months (not spayed or neutered) is considered “intended for breeding”. It is common practice for many breeders not to sterilize our animals until they have finished growing or completed competitions that require them to be intact.

PPA also strongly feels that the portion of the bill that calls for strengthening of existing laws should have been addressed in a separate bill and not tacked to a new dog breeder licensing bill.

Thank you for this opportunity to testify before you.

Lynn Muramaru  
Board Member  
Pacific Pet Alliance





**THE HUMANE SOCIETY**  
OF THE UNITED STATES

**To:** Chair Rep. Scott Y. Nishimoto, members of the House Judiciary Committee

**In Support Of:** HB 185

**Date:** February 23, 2017 2 p.m.

**Testimony By:** Keith Dane, Hawaii Policy Advisor, The Humane Society of the United States

My name is Keith Dane. I am the Hawaii Policy Advisor for The Humane Society of the United States (HSUS), and I appreciate the opportunity to submit this written testimony in support of HB 185, with proposed amendments, on behalf of our Hawaii members and supporters.

HB 185 would provide a strong penalty for the offense of committing animal cruelty in the presence of a child, extend greater protection to threatened or endangered animals, clarify the animal abandonment law, and provide modest oversight of large scale dog breeders.

Researchers have shown compellingly that childhood exposure to animal abuse should be considered a significant factor that can impact long-term well-being as well as lead to continuation of the intergenerational cycle of violence and abuse.

HB 185 is important legislation that appropriately recognizes the serious harm imparted on children who live in households where animal abuse takes place. There is no doubt that witnessing violence—in the home, at school and in the community harms children, and this includes violence perpetrated on animals. Strong laws protect both animals and humans.

HB 185 increases protection of animals by including more of them within the scope of felony offenses. We do however request a modification that all animals be included within the scope of felony offenses, not only state or federal threatened or endangered animals as listed in the proposed amended version of section 711-1108.5(a).

This bill would also require commercial breeders in Hawaii to be licensed, and would allow enforcement agents to inspect facilities to ensure compliance with minimum standards of care. Currently, Hawaii is one of only sixteen states that does not regulate commercial breeders. The pet loving population of Hawaii expects the state to do the right thing and ensure dogs in breeding facilities are treated humanely.

States without commercial breeder laws rely on the federal government and its enforcement of the Animal Welfare Act (AWA). This is a very poor decision, as the agency charged with enforcing the AWA, the U.S. Department of Agriculture (USDA), admits it does a minimal job of regulating commercial breeders. The USDA has repeatedly asserted that their regulations and standards are *minimum* requirements that should be built upon by the states and that regulated businesses should exceed. USDA standards are merely survival standards, and allow for a great deal of cruelty. To make matters worse, the USDA does a poor job of licensing all facilities that should be licensed, leaving thousands of commercial breeders completely unregulated. Unless those breeders operate in states

with commercial breeding laws of their own, those facilities operate completely unchecked and puppy mills thrive.

HB185 also looks to strengthen the animal abandonment section of the law. We are concerned the amended version could unjustly be enforced against cat caregivers who sterilize feral or free-roaming cats then return them to their original locations. We therefore urge this Committee to further amend section 711-1109.7(a) to read, "It shall be unlawful for a person to intentionally, knowingly, recklessly, or negligently leave an animal at a location without providing for the animal's continued care, or without having a reasonable basis for believing continued care is being provided by another.

The Humane Society of the United States appreciates the committee's commitment to protecting the animals of Hawaii and recommends passage of HB185 with our proposed amendments.



NATIONAL ANTI-VIVISECTION SOCIETY  
53 W. JACKSON BLVD. SUITE 1552  
CHICAGO, IL 60604  
PHONE (312) 427-6065  
FAX (312) 427-6524  
EMAIL NAVS@NAVS.ORG  
WEB WWW.NAVS.ORG

## Testimony in Support of House Bill 185 Committee on Judiciary February 23, 2017

**To the Honorable Scott Y. Nishimoto, Chair,**

**And members of the Committee on Judiciary:**

On behalf of the National Anti-Vivisection Society and our supporters in Hawaii, I would like to state my strong support for HB 185, including Section 1 provisions to establish regulations for licensing breeders within the state. From comments submitted at the hearing before the Committee on Agriculture, there does not appear to be opposition to the animal cruelty provisions in this bill, simply to the provisions for licensing contained in Section 1. My comments will be directed to that section.

The term "puppy mill" is one which invokes negative images from the public and provokes hostile reactions from dog breeders. It refers to dog breeding operations that churn out puppies regardless of good breeding practices, overbreeding females and keeping both adult and juvenile dogs in substandard, unhealthful and unsocialized conditions. Dogs obtained from these breeding operations are typically sold in pet stores and are generally sickly, with a high instance in genetically-propagated medical conditions.

What does this have to do with Hawaii's proposed dog breeding licensure? This bill applies to individuals or companies that breed "twenty-five or more of the offspring of breeding female dogs in any one-year period and is engaged in the business of breeding intact female dogs; owns or harbors twenty or more intact female dogs over six months of age that are intended for breeding; or owns or harbors a total of thirty intact dogs over the age of six months that are intended for breeding on the premises." This is a business. A business that should be regulated to protect animals, as well as to protect consumers who purchase these dogs at pet shops throughout the state.

The breeders covered by this legislation are not small backyard or hobby breeders. These are breeders to whom raising dogs is a business, not a vocation. As such, they should be covered, like other business enterprises, under Hawaii's Department of Commerce and Consumer Affairs.

Other states, such as Illinois, routinely license animal businesses. Provisions including government licensure, inspections and standards of care are contained under Illinois Compiled

Statutes 225. As you see, below, the size of breeding operator required to obtain a license is far smaller than a breeder that would be covered under provisions in HB 185.

**PROFESSIONS, OCCUPATIONS, AND BUSINESS OPERATIONS**  
(225 ILCS 605/) Animal Welfare Act.

" "Kennel operator" means any person who operates an establishment, other than an animal control facility, veterinary hospital, or animal shelter, where dogs or dogs and cats are maintained for boarding, training or similar purposes for a fee or compensation; or who sells, offers to sell, exchange, or offers for adoption with or without charge dogs or dogs and cats which he has produced and raised. A person who owns, has possession of, or harbors 5 or less females capable of reproduction shall not be considered a kennel operator.

"Cattery operator" means any person who operates an establishment, other than an animal control facility or animal shelter, where cats are maintained for boarding, training or similar purposes for a fee or compensation; or who sells, offers to sell, exchange, or offers for adoption with or without charges cats which he has produced and raised. A person who owns, has possession of, or harbors 5 or less females capable of reproduction shall not be considered a cattery operator."

The example, above, is provided primarily to counter arguments that licensing dog breeding businesses is somehow outside the purview of state licensing authorities. This bill would create the requisite framework for such licensing and serve the public's interest in doing so.

Passage of HB 185 would better protect dogs from breeders who may fail to recognize that dogs are living creatures and not *merely* commodities to be sold for profit. While many breeders, as well as anyone who lives with dogs as companions, recognize that dogs are individuals with their own personalities and welfare concerns, large-scale breeders may lose sight of that fact in pursuit of a quick profit.

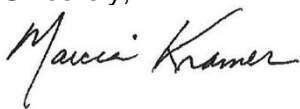
As many dogs from breeders sell for as much \$2500, so this is not a small business enterprise—it is a lucrative practice turning out as many as hundreds of dogs per year for sale in the marketplace.

Please consider passage of HB 185 because:

- Dog breeding is a real business;
- Abuses in the industry impact consumers buying dogs from substandard breeders; and
- Dogs are living creatures whose welfare matters.

Thank you very much for your consideration.

Sincerely,



Marcia Kramer  
Director of Legal/Legislative Programs

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 12:30 PM  
**To:** JUDtestimony  
**Cc:** cathyg@animalrightshawaii.org  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Animal Rights Hawai'i	Oppose	Yes

Comments: This bill is a mishmash of issues. We do support the licensing and taxing of dog (and cat) breeders; the abandonment wording is confusing and could adversely impact feral cats and their caretakers.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 5:44 PM  
**To:** JUDtestimony  
**Cc:** jessdunn24@gmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Dunn	Individual	Support	No

Comments: People engaged in large-scale dog breeding should at a minimum meet animal welfare standards and allow for inspections. Licensing requirements for people who own or harbor twenty or more intact female dogs over six months of age or owns or harbors a total of thirty intact dogs over the age of six months is absolutely necessary to ensure that they are meeting humane standards of care. The profit from breeding should outweigh any hindrance a licensing requirement would entail. Responsible breeders would benefit from a licensing/certification that provides consumers with an understanding of the care their animal received. I fully believe in adopting, but for those that want to acquire an animal from a breeder there needs to be a process in place to verify animals are being bred in a responsible environment.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 5:54 PM  
**To:** JUDtestimony  
**Cc:** birdofparadise@hawaii.rr.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Nandoskar	Individual	Support	No

Comments: Aloha, My name is Andrea Nandoskar, I live in Waikiki and I support this bill as a step in the right direction to hold breeders accountable for protecting the rights of dogs and implementing their humane treatment. Please vote in favor of this bill. Mahalo for your consideration.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 6:20 AM  
**To:** JUDtestimony  
**Cc:** ashzz@mac.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashley Wilcox	Individual	Support	No

Comments:

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**Sent:** Wednesday, February 22, 2017 5:53 AM  
**To:** JUDtestimony  
**Cc:** ozako@hotmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lor. Maki	Individual	Oppose	No

Comments: I strongly oppose the bill.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 5:30 AM  
**To:** JUDtestimony  
**Cc:** konapam@hawaii.rr.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pamela Higgins	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 11:27 PM  
**To:** JUDtestimony  
**Cc:** Cfkwock@gmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carole Kwock	Individual	Oppose	No

Comments: As an owner of a very beloved purebred dog from an AKC Breeder of Merit, I strongly OPPOSE this bill in its requirement that breeders be licensed. You will deter responsible breeders who are already conscientious about doing eye & joint health certifications without being able to "catch" or detect irresponsible pet owners or greedy commercial puppy mills who fly under the radar. My dog has a wonderful temperament and very healthy. It's incredibly hard to find responsible breeders, please don't make it any harder! Mahalo, Carole Kwock 99-1367 Aiea Heights Dr. Aiea, Hawaii 96701

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**Sent:** Tuesday, February 21, 2017 10:27 PM  
**To:** JUDtestimony  
**Cc:** diabattilla@gmail.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
chiamarra dia battilla	Individual	Oppose	No

Comments:

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**HB185:** I strongly support HB185 which would require the licensing of large-scale dog breeders, extend protection to threatened or endangered animals and strengthen the animal abandonment law.

Large-scale dog breeders should absolutely be required to meet animal welfare standards, which allow for inspections as to the health and wellbeing of the dogs and puppies.

Animal cruelty comes in many forms. Most breeders have the best interest in mind for the animals in their care, and they show pride in the condition of the parents and puppies. For these breeders, minimal welfare standards would be easily met and surpassed and inspections would showcase the health of the animals in their care.

The bill will primarily be able to focus on helping the breeders who are focused on making money off animals, even if that means the animals are in poor health or conditions. This bill will ensure the few neglectful breeders, will also provide minimum protection for their animals.

Protection of animals, whether they be domestic, threatened or endangered, lies in the hands of the law. Our government must take a stand to state that animal abuse or cruelty, whether intentional or neglect, does not happen on our time, on our watch. We must be the protectors for animals.

Jennifer Ho

Volunteer

808-585-6795

ho.jennifer.c@gmail.com

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 9:54 PM  
**To:** JUDtestimony  
**Cc:** hamalerotts@gmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charles Sloan	Individual	Oppose	No

Comments: Comments: HB 185 seeks to create new licensing and oversight laws for certain dog breeders/owners. Specifically, the bill would apply to “dog breeders”, which include those who (1) for compensation or provide, sells or offers for sale, via any means including the internet, 25 or more of the offspring of breeding female dogs in any one-year period and is engaged in the business of breeding intact female dogs; (2) owns/harbors 20 or more intact female dogs over six months of age intended for breeding; or (3) owns/harbors 30 intact dogs over six months of age intended for breeding on the premises. Those dog breeders who are qualified would have to be licensed by the Department of Commerce and Consumer Affairs, which would include submitting a completed license application, a fee, and a pre-license inspection of facilities. Licensees would be subject to inspections at any time during regular business hours. The Director of Commerce and Consumers Affairs is empowered to appoint designees to help enforce some provisions of the law, but without limiting whom designees may be. The director shall also adopt rules to administer the program. The bill also provides the director with extensive enforcement powers. In addition to current penalties, HB 185 also provides that violators of the state’s first or second degree animal cruelty statutes will be subject to prohibitions of animal ownership or contact for at least five years, including those who should be licensed as dog breeders but are not. I have many concerns with HB 185. First, the term “dog breeders” sounds all-encompassing, but actually applies only to a subset of dog breeders with a very large number of breeding animals. I encourage changing the term to “large-scale dog breeders” to more accurately reflect the intentions and provisions of the legislation. I have seen many such bills introduced in the past several years, sometimes with several at once with common language; and if they pass review they are modified to encompass a greater number of the public dog fancy by reducing the numbers substantially. Second, the extensive enforcement powers offered the Director of Commerce and Consumers Affairs may run counter to Procedural Due Process requirements. We encourage amendments to reasonably limit the enforcement powers provided that ensure that licensees’ due process rights are not infringed upon. Further, I would encourage commitment by the members to ensure the law is not subsequently “tightened” to the much smaller numbers of dogs addressed in previous bills. I further

find the penalties to be excessive for failure to license. The type of operations which this bill seems likely to be created to address, will undoubtedly not seek licensing; however the charges should be based on actual misconduct towards animals and not simply a failure to license.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 2:38 PM  
**To:** JUDtestimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 5:21 PM  
**To:** JUDtestimony  
**Cc:** joyamarshall0416@gmail.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joy Marshall	Individual	Support	No

Comments:

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**Sent:** Tuesday, February 21, 2017 9:40 PM  
**To:** JUDtestimony  
**Cc:** ldangelm@earthlink.net  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Dangelmaier	Individual	Oppose	No

Comments: HB 185 seeks to create new licensing and oversight laws for certain dog breeders/owners. Specifically, the bill would apply to “dog breeders”, which include those who (1) for compensation or provide, sells or offers for sale, via any means including the internet, 25 or more of the offspring of breeding female dogs in any one-year period and is engaged in the business of breeding intact female dogs; (2) owns/harbors 20 or more intact female dogs over six months of age intended for breeding; or (3) owns/harbors 30 intact dogs over six months of age intended for breeding on the premises. Those dog breeders who are qualified would have to be licensed by the Department of Commerce and Consumer Affairs, which would include submitting a completed license application, a fee, and a pre-license inspection of facilities. Licensees would be subject to inspections at any time during regular business hours. The Director of Commerce and Consumers Affairs is empowered to appoint designees to help enforce some provisions of the law, but without limiting whom designees may be. The director shall also adopt rules to administer the program. The bill also provides the director with extensive enforcement powers. In addition to current penalties, HB 185 also provides that violators of the state’s first or second degree animal cruelty statutes will be subject to prohibitions of animal ownership or contact for at least five years, including those who should be licensed as dog breeders but are not.

I have many concerns with HB 185. First, the term “dog breeders” sounds all-encompassing, but actually applies only to a subset of dog breeders with a very large number of breeding animals. I encourage changing the term to “large-scale dog breeders” to more accurately reflect the intentions and provisions of the legislation. I have seen many such bills introduced in the past several years, sometimes with several at once with common language; and if they pass review they are modified to encompass a greater number of the public dog fancy by reducing the numbers substantially. Second, the extensive enforcement powers offered the Director of Commerce and Consumers Affairs may run counter to Procedural Due Process requirements. We encourage amendments to reasonably limit the enforcement powers provided that ensure that licensees’ due process rights are not infringed upon. Further, I would encourage commitment by the members to ensure the law is not subsequently “tightened” to the much smaller numbers of dogs addressed in previous bills. I further

find the penalties to be excessive for failure to license. The type of operations which this bill seems likely to be created to address, will undoubtedly not seek licensing; however the charges should be based on actual misconduct towards animals and not simply a failure to license.

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**Sent:** Tuesday, February 21, 2017 8:32 PM  
**To:** JUDtestimony  
**Cc:** nobrigs@msn.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lance Nobriga	Individual	Comments Only	No

Comments: Aloha Hawaii Legislators, I am writing to oppose HB185, while I agree with some aspects of the bill ultimately I cannot support it due to the overreaching restrictions it has on hobby breeders. Personally, I have bred 6 litters in the last 15 years so this bill currently would not affect me. However, in the future I may look to have more than 1 litter in a year. Depending on the breed one could reach the 25 puppy limit in 2-3 litters. I feel it is an insult to associate breeders like myself with puppy mills, this bill does just that! Someone whose sole purpose of breeding is to gain financially must not be called a breeder, they should be called a puppy mill. I can assure you that I have not profited financially from being a hobby breeder however I have found great satisfaction in placing my puppies in loving families who have been blessed with a well-bred puppy. The fact of the matter is a breeder will likely never make a profit as the care he gives his dogs far outweigh the money he makes from the sale of his puppies. The Code of Ethics of AKC affiliated Breed Clubs discourages members from selling puppies to pet shops. Any breeder who sells to pet stores is not an ethical breeder, since good breeders want to personally interview and educate prospective owners of their carefully bred puppies. The AKC does have inspection teams who inspect large scale AKC breeders, those not in compliance can be fined and or lose their AKC privileges. I would respectfully request the introducers of this bill consult with the local dog fancy prior to introducing such bills in the future. Mahalo, Lance Nobriga

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 9:03 PM  
**To:** JUDtestimony  
**Cc:** suyin@hawaii.edu  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Suyin Phillips	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 7:11 PM  
**To:** JUDtestimony  
**Cc:** lynnehi@aol.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow	Individual	Support	No

Comments: i am glad to see that endangered and threatened animals will now be included. what happened to the albatross at kaena point animals and their welfare take precedence over greedy, irresponsible breeders. please support this bill. lynne matusow

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I oppose HB185.

There is already an existing City and County of Honolulu law that only allows 10 dogs per residential household. If this bill passes, it will override this current law. This will open the door for Hawaii residents to own more than 10 dogs per residential household which will create more problems. People need to do their homework when drafting new bills. Also who will enforce this law if passed when they can't even enforce the current laws in place? Why not focus on more important problems like the homeless issue, our roads, the over population of feral cats, chickens, and Indian Ringnecks. What are you going to do to address these feral animal over population which are destroying our environment? That's more of a problem than dogs. To be honest, the overpopulation of cats is far worse than dogs. Look at how many feral cats we have roaming our neighborhoods. As far as I am concern, I don't see any feral dogs roaming my neighborhood. Also the feral chicken over population has become a real problem. We have roosters crowing at odd hours throughout the night causing problems for residents in various neighborhoods making it hard to have a good night sleep. Let's see if you can do something about that instead! Focus on the real problems we are facing throughout our community. TREAT ALL PET OWNERS EQUALLY!

Sincerely,

Clayton Cotton

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 7:09 PM  
**To:** JUDtestimony  
**Cc:** 14diesel@hawaiiantel.net  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joseph	Individual	Oppose	No

Comments:

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**Sent:** Tuesday, February 21, 2017 6:25 PM  
**To:** JUDtestimony  
**Cc:** staciaohira@gmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stacia Ohira	Individual	Oppose	No

Comments: I strongly oppose this bill as it creates very vague licensing fees and rules for people that breed dogs, and even though it states a large number of dogs now, in the past, during legislation they have reduced the number of dogs and puppies so that it will affect even small scale breeders, and have even done a gut and replace where they rewrote the entire bill while it was in the legislature, so who knows what it will end up saying. It also provides a clause that inspectors can show up at your home at any time without any notice if you are licensed as a breeder. (which I feel is an invasion of privacy). I think that this will hinder responsible breeders, and those that are so called "puppy mills" are not going to register anyway, so it won't affect them. They don't care about laws it will only hurt responsible purebred dog breeders who test their breeding stock for genetic faults. This bill will hurt the law abiding conscientious breeder who promote healthy dogs on a small scale.

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**Sent:** Tuesday, February 21, 2017 6:13 PM  
**To:** JUDtestimony  
**Cc:** diamondtlivestock@hawaii.rr.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keith Okazaki	Individual	Oppose	No

Comments: Aloha, I am writing from Mililani– a community that arguably has to be the pet dog capital of Hawaii. We have it all – a major pet store franchise, a few small mom-and-pop pet stores, several veterinarians, a large dog park, miles of sidewalks and walking trails with dog poop stations every half mile or so, and a whole cottage industry of dog groomers, dog walkers, dog sitters and I’ve even heard a dog massage therapist. I think it’s fair to say, in Mililani, we know and love our dogs. I would argue that most of us find our pet puppies not at retail stores where they are just another product on the shelf but from loving and caring breeders who take great pride in their business, and who we personally know and are often friends with, or through referrals to breeders who are often friends with friends. As pet dog lovers, we know what a safe, caring and healthy environment should look and feel like and, we promise you, we would be the first to report one that’s not. Please, let’s show some good judgment and aloha, save our taxpayer dollars and DCCA’s valuable time, not harass our caring and responsible breeder friends, and let us –the pet owner community – be the watchdogs (no pun intended) for badly-behaving breeders.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 21, 2017 6:07 PM  
**To:** JUDtestimony  
**Cc:** niidesign@hawaii.rr.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Terry Nii	Individual	Oppose	No

Comments: I oppose this bill. This bill is very vague in it's terms, how much will the fees be? How will it be enforced? How will the enforcement be paid for? If it is a voluntary registration, I do not think it will prevent puppy mills from operating. They certainly are not going to register themselves. And if someone turns them in, then there are already procedures in place to deal with it within our current laws and enforcement. If they are reported for animal mistreatment then the Humane Society is authorized to investigate and remove the animals. The Department of Commerce and Consumer Affairs already testified that it does not feel qualified to regulate dog breeders. Entities such as PETA and the Humane Society want to prevent dog breeding and they discourage even responsible dog breeding. Will they be the ones enforcing and regulating these laws? It seems like they would be biased and prejudiced against all dog breeders. If the responsible breeding of dogs is made too onerous, then the only dogs available will be the mixed breed dogs at the pound. Responsible breeders spend thousands of dollars taking care of their dogs, on health care and veterinary care, and spend a lot of time finding their puppies the perfect home. The goal of a good breeder is to better the breed not to make money. If you take away the rights of dog fanciers, (and three large dogs can easily produce 25 puppies in one year), then all you will be left with is large commercial kennels who are breeding only for money and can afford the licensing fees and don't mind the invasion of home and property. Some of the measures in the bills such as inspections at anytime would be a violation of privacy for those who breed their dogs at their home. Most breeders keep their dogs at home and whelp their dogs in their homes. Does that mean that regulators could invade your home at any time if you are a breeder? If this bill does pass, then I think that inspections should be scheduled with the licensees at certain times and certainly during the day. There are so many other issues that need to be addressed in Hawaii. Look at our homeless population explosion, look at our failing sewage systems and the rail that is causing our cost of living to increase each year. I feel that there are so many other things that the legislature should be spending time and money on.

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I strongly support HB185 which would require the licensing of large-scale dog breeders, extend protection to threatened or endangered animals and strengthen the animal abandonment law.

- People engaged in large-scale dog breeding should be required to meet at least minimal animal welfare standards and allow for inspections. Puppy mills have become a growing concern in Hawaii as dogs are found in deplorable conditions.
- Inspections should be required. The inspections requirements related to large-scale dog breeders in HB185 are clear and needed to assure minimum standards of care met.
- This bill would also support the intent of the animal cruelty section of HB185, which would extend important protections to additional animals, such as those listed as threatened or endangered by the state or federal government.

Signed,

Susan Collins; 46-3991 Old Mamalahoa Hwy; Honokaa, Hawaii 96727

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 9:08 AM  
**To:** JUDtestimony  
**Cc:** thookano001@hawaiiantel.net  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
teri	Individual	Oppose	No

Comments:

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**Sent:** Wednesday, February 22, 2017 8:45 AM  
**To:** JUDtestimony  
**Cc:** darsaw9@gmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darlene	Individual	Oppose	No

Comments: I strongly oppose this House Bill 185.

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February 22, 2017

**Committee on Judiciary**

Rep Scott Y Nishimoto, Chair

Rep Joy A San Buenaventura, Vice Chair

Committee Members

Ref: HB 185, HD1, HSCR288

Hearing date 2/23/17 at 2:00 PM

Dear Committee Members,

I am writing in opposition to HB 185, HD1, HSCR288.

While I would support any measure dealing with “Animal Welfare, Cruelty to Animals, and Animal Abandonment”, imposing licensing requirements for Hawaii residents who decide to breed their dogs is not the means to accomplish this. Each time we see news coverage of a rescue being performed at a overrun shelter, or at the home of an animal hoarder or unethical breeder, we can always be assured the various the Humane Societies (I think Oahu has several now?) and other animal activists groups will be in full force during the legislative session to push for licensing and registration of anyone breeding or offering puppies for sale.

Again, the problem Hawaii faces isn't that laws don't exist to prevent animal cruelty, but rather with the enforcement of those laws. Requiring a license to breed which include an approval process, an initial inspection, subsequent un-announced inspections, fees and burdensome record keeping will not affect those engaged in acts of animal cruelty; these types of individuals simply won't register for a license.

Both Human Societies support this measure stating the need to regulate “Large Scale Breeders”. As this measure is currently written, individuals could be forced to be licensed and fall under inspection requirements if they have as few as 3 dogs. This seems excessive and a waste of taxpayer dollars.

The Department of Commerce and Consumer Affairs has already opposed their involvement as the enforcing agency for this measure, which in itself should be reason enough to remove the licensing and registration portion. I question anyone's ability to adequately enforce this measure as it is written. The Department of the Attorney General has also recommended deferring this measure until more consideration to its impact can be evaluated. Why then does this bill continue to be heard?

I have great concerns about the costs associated with obtaining a license and feel that the fee structure, the approval process, and the inspection element will most assuredly be aimed by special interest groups to deter dog breeding of any kind.

Section 4 – 9 and section 711- (Pages 3-10) gives entirely too much authority to the enforcement and penalty process where cruelty may not be present. Not having a license to breed does not constitute animal cruelty. Too much of this measure seems directed at the consequences for not being licensed rather than for acts of animal cruelty, which I do not believe was the intent of this measure when it was first introduced given its report title.

I support measures where preventing animal cruelty remains the focus, rather than regulation of ownership. Remove the sections relating to licensing requirements, and I would be able to support HB 185 HD1 HSCR288.

Respectfully,

Ricky Baker  
(808) 696-1083



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 10:27 AM  
**To:** JUDtestimony  
**Cc:** lauramyers07@aol.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laura Myers	Individual	Support	No

Comments: Please give a voice to these poor, abused animals.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 10:51 AM  
**To:** JUDtestimony  
**Cc:** pegyamashita@yahoo.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Peggy yoshioka	Individual	Oppose	No

Comments:

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**Sent:** Wednesday, February 22, 2017 11:03 AM  
**To:** JUDtestimony  
**Cc:** ej@hawaiiantel.net  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
ellen jackson	Individual	Oppose	No

Comments:

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Wednesday, February 22, 2017

To: Representative Scott Y. Nishimoto, Chair:  
Representative Joy A. San Buenaventura, Vice Chair:  
Committee on Judiciary and Labor:

Re: HB 185 HD1 (hearing date 2/23/17)

Honorable Chair, Vice Chair and Committee Members:

**I am writing in opposition to HB 185 HD1** in its current form.

Although I am in support of bills meant to protect animals and stop abuse, I cannot support a bill that imposes licensing on Hawaii residents who would simply like to breed their dog. The definition of “Dog breeder,” as stated in Section 1 of the Definitions makes it illegal for someone to sell/find homes for 25 or more puppies within a year, without being a licensed breeder. Large litters would force someone who has 2-3 female dogs that gave birth to a litter each, within a one year period, to become a licensed breeder. This bill would allow “unannounced inspection by the director or director’s designee during regular business hours.” This sentence appears to be speaking of a breeder with kennels/a facility, not someone who breeds their pet for enjoyment of puppies and sharing those puppies with other families looking for a pet. Someone who raises puppies in their home...maybe a bedroom, bathroom or kitchen does not want, nor should they be subjected to anyone invading their privacy. What are “regular business hours” in a home?

I believe the laws on animal cruelty that are in place now (Animal Welfare Act of 1966 with amendments) should be enforced, rather than punish those who breed their pets. I also believe a set number is not what’s important, but proper care of an animal. A person/family/breeder may have many dogs and care for them responsibly. At the same time, someone may have 1 dog that they breed (or don’t breed) that they don’t care for properly. The concern should be quality of care, not quantity of animals. We should strengthen the laws already in place so that offenders can be prosecuted, not make it hard for families that want to breed their dog. This bill will not affect offenders, anyhow. I cannot imagine that they will fill out an application and allow access to their property. There will continue to be warrants needed to get onto the property of these offenders. Since they will not apply for a license, this bill is useless, other than to collect money and invade the privacy of those who are not commercial breeders. I hope that is not the intent of HB 185 HD1.

These definitions are troublesome:

- Dog Breeder
- Section 1 (1) could make anyone owning only 2-3 intact females, that give birth within one year, a breeder. They are a breeder even if they give them away! What if my dog has 12 puppies and I help 2 friends that have a total of 13 puppies find homes for their pups? That would make me a breeder...with only 1 dog! What about a pet store or any dog lover who sells/finds homes for more than 25 puppies in a year? Even someone who rescued 25 or more pups off of the street and found homes for them, they would be considered breeders according to this bill!. I can't imagine this is the intent of this bill, yet that is how it reads.
- Department/Director  

Why is the Department of Commerce and Consumer Affairs implementing/enforcing animal cruelty laws? Is it to make money? Are they experts in animal care and abuse? This is confusing.
- License Required  

There doesn't seem to be any structure to licensing. What would the cost be? What would the inspection consist of and how often would it occur? And, why should someone who has 2-3 litters of puppies a year have to give up their right to privacy? What are normal business hours in a home?
- Section 4 – 9 and section 711  

This makes no sense. Not having a license to breed is not the same as animal cruelty. It is excessive to disallow someone from being around animals for 5 years because they did not obtain a license. Would we force someone to be homeless for 5 years because they did not get a building permit for a cement slab on their property? Are we concerned about licensing and money or animal cruelty? Something is not right here.

I would support HB 185 HD1, as an animal cruelty bill, were the breeder licensing verbiage removed. I cannot support it as it is now worded.

Thank you for reading my testimony.

Sincerely,

Debbie Baker

Rep. Scott Y. Nishimoto, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Committee on Judiciary

Committee Members,

I strongly oppose HB185 HD1 in its current form. I support all sections relating to animal cruelty and abandonment, which is what the title of this bill would lead you to believe it is about. However, much of the content of this bill has nothing to do with cruelty; the aim seems to be at establishing restrictions and licensing for dog breeders.

My first concern is in the definition "person" and of "dog breeder"

*"Person" means an individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate, or any other legal entity.*

*"Dog breeder" means a person who:*

*(1) For compensation or profit, sells or offers for sale, exchange, gift, transfer, or lease, via any means of communication including the Internet, newspaper, or telephone, twenty-five or more of the offspring of breeding female dogs in any one-year period and is engaged in the business of breeding intact female dogs;*

*(2) Owns or harbors twenty or more intact female dogs over six months of age that are intended for breeding; or*

*(3) Owns or harbors a total of thirty intact dogs over the age of six months that are intended for breeding on the premises.*

Are businesses such as pet stores and feed stores included? The wording "offspring of breeding female dogs" does not specify that the offspring must be from female dogs who were bred or owned by the seller. If the owner of a pet store breeds one litter of their own puppies in a year, but sells over 25 in the store, would the owner be considered a breeder?

How would this bill affect private individuals who rescue or foster puppies? There are a lot of people who are not part of any rescue groups or organizations, but do rescue dogs/puppies and find them homes. There are many times when a pregnant dog will be taken into the person's home to be cared for until her puppies are weaned. If the puppies that they rescue and adopt exceed 25, would they have to be licensed and subject to inspections? Please note, that 3 large breed litters could easily surpass 25 puppies.

I also know several people who provide a service by helping others find homes for their puppies. The people who they are helping do not always have transportation to allow them to sell the puppies on their own. Sometimes it is for an elderly individual who does not know how to advertise their puppies. It may also be that the person is simply helping a friend who doesn't have an outlet for their litter. Some of the individuals who provide this service breed their own dogs as well, some do not. They would be the ones collecting payment for all of the puppies that they are finding homes for, which may exceed 25 puppies in a year. Would it not do more harm than good to create obstacles for these people who are doing a service and keeping the numbers of dogs being abandoned or surrendered as low as possible?

I assume that non-profit shelters are excluded, although, that is not mentioned either.

Another issue that I have with this bill is that it leaves a lot of questions unanswered. One of which, is the unspecified fee. How much will it cost someone to be a "licensed dog breeder"? Who will be doing the inspections?

Unannounced inspections are an invasion of privacy, regardless of who is doing the inspection. This bill allows for the "inspector" to access all areas where dogs are kept. This could be especially problematic for someone who has pregnant or nursing dogs on their property. It is important to keep stress factors to a minimum for the dogs. Having strangers entering their home at any time may cause stress and difficulties for the mother. If the inspection happens to be during labor, it could cause complications leading to the loss of puppies in the litter. Also, most breeders keep areas where puppies and mothers are kept sterile. They should not be forced to allow someone to come into their sterile environment, as germs may be tracked in on hands, shoes, or clothing.

One of the violations that are mentioned is:

*(5) To own or harbor more than fifty intact dogs on a premises subject to this chapter.*

First, does this include puppies? If so, that severely limits how many dogs can be bred at one time. If a breeder has 6 dogs that go into heat within a few weeks of each other, choosing to breed them could easily cause this breeder to violate this rule. If the dogs are not bred they may miss out on litters from some of the dogs for that year, cutting out what may be an important part of their income. Unfortunately, you cannot choose when your dog's heat cycle will be, and many dogs only go into heat once a year.

Even if this violation is not meant to include puppies, there should not be a cap on the number of dogs that a breeder is allowed to have. The quality of care is what matters, and having more pets than someone else does not mean the quality of care will go down. There are many people who have only one dog and do not care for it properly. Likewise, there are people with 100 dogs, who all have excellent care.

I would support HB185 HD1 as an animal cruelty bill, but not while it includes licensing and restrictions for dog breeders.

Respectfully,

Casey Baker

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 12:43 PM  
**To:** JUDtestimony  
**Cc:** nchang2017@gmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicholas Chang	Individual	Support	No

Comments: As both the nephew of a dog breeder and a volunteer at the Hawaiian Humane Society, I know that breeding dogs is a business that requires responsibility and care. As we have seen in the past, if anyone is simply allowed to breed dogs en masse and sell them without any liscensing explicitly for dog breeding, some people will exploit dogs and create "puppy mills" or mass dog breeding facilities with extremely inhumane conditions. Requiring all commercial dog breeders in Hawaii to obtain a license will stop this kind of cruelty before it happens.

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**Sent:** Wednesday, February 22, 2017 12:16 PM  
**To:** JUDtestimony  
**Cc:** govierj001@hawaii.rr.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Govier	Individual	Oppose	No

Comments: To Chairman and Members of Committee, I oppose HB 185 and ask you to vote NO on HB 185. The attempt to regulate animal breeding is so flawed even the DCCA says such is not suitable for regulation. The regulating is too burdensome. Please vote against HB 185 Thank you, Mrs. Susan Govier, Aiea, HI  
[govierj001@hawaii.rr.com](mailto:govierj001@hawaii.rr.com)

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Wednesday, February 22, 2017

To: Representative Scott Y. Nishimoto, Chair:  
Representative Joy A. San Buenaventura, Vice Chair:  
Committee on Judiciary and Labor:

Re: HB 185 HD1 (hearing date 2/23/17)

Honorable Chair, Vice Chair and Committee Members:

I'm writing in opposition to HB 185 HD1 in it's current form.

Upon reading H.B. NO. 185 HD1, I came to find that this bill includes much more than the title would

imply. (Report Title: Animal Welfare; Cruelty to Animals; Animal Abandonment.) I agree completely with the portion of this bill that includes the topics mentioned in the title however, there is much more to this bill then the title would depict. I understand and appreciate the concern for the wellbeing and safety of all animals, but I believe requiring "breeders" to obtain a permit is unnecessary, and the required inspections are an invasion of privacy.

Animal welfare and cruelty laws apply to all people, not just people who own one or two dogs. It also includes those who fall into the definition of "breeder" as defined by this bill. All owners are held accountable for the care (or lack thereof) provided to their animals. That being said, why do we need to place specific regulations on breeders in addition to the general animal welfare/cruelty portion of this bill? As this bill is written we would be placing unacceptable restrictions of pet owner/breeders.

Often when one thinks of a "breeder" they think of someone who breeds dog for the sole purpose of financial gain. I'm sure this is sometimes the case however, families or individuals who breed their animals often do so because they want to share their passion and love for their pets with others. Having and loving a pet is not limited by number and those whom you consider to be a "breeder" are no different than any other pet owner. Any individual owning an animal has the ability to choose to care for and love their pet or neglect their pet. Having one dog, ten dogs or thirty dogs doesn't in anyway define how those animals will be cared for.

I'm very concerned about the unannounced inspections required after one obtains a breeding permit. Families that breed their dogs often have setups in their homes for the nursing mother and babies. Dogs are instinctively protective of their homes, families and pups. Having a stranger come into the home of a nursing dog can be extremely upsetting to the parent dogs and therefore detrimental the the puppies health. Stress causes the immune system to weaken. With a weakened immune system the pups and mother dog become much more susceptible to picking up sickness. When having a litter of puppies it is crucial to their health that they be kept in a sanitary environment. Being required to allow a stranger to come in and inspect your home is not only an invasion of privacy, but it is also exposing the puppies and mother dog to an unknown amount of outside germs. With the contaminants being tracked into the home along with the distress caused by the unexpected and unnecessary visit, these inspections could cause irreparable damage to the puppies and mother dog's wellbeing.

As I mentioned in the above paragraph it is people's homes in which you will often be inspecting. Individuals who breed dogs do not always have kennel facilities on cement slabs as

many often believe. Puppies are often raised in bedrooms, kitchens, and dining rooms. You will not just be inspecting their “ facility” you will be coming unannounced into their homes. No one should be judged, restricted or punished due to the number of animals they have, but by the way they love and provide for the animals in their care.

I would love to support this bill and I agree with the portion regarding general welfare, abuse and abandonment, but I must ask that the restrictive permitting of breeders is removed in its entirety.

At this time I must oppose H.B. NO. 185 HD1 as it is written now.

Respectfully,

Brandy Baker

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 1:21 PM  
**To:** JUDtestimony  
**Cc:** mail3@rexj.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rex Jakobovits	Individual	Support	No

Comments: I strongly support HB185. Large-scale dog breeding should be more regulated for the sake of the dogs. Otherwise, they may be abused for the sake of maximizing profit. Also, animal cruelty protection should be extended to additional animals, not just dogs. Mahalo for your careful consideration of this bill, which can help prevent abuses and suffering.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 1:48 PM  
**To:** JUDtestimony  
**Cc:** tedketcham@hawaii.rr.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ted Ketcham	Individual	Oppose	No

Comments: A person could have his dogs taken without due process. This is an over-reach and should not be allowed.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 3:38 PM  
**To:** JUDtestimony  
**Cc:** hawaiidach@yahoo.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kathleen Doi	Individual	Oppose	No

Comments:

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**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 23, 2017 8:19 AM  
**To:** JUDtestimony  
**Cc:** cecilia.ryan@yahoo.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/23/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cecilia Ryan	Individual	Support	No

Comments:

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**To:** JUDtestimony  
**Cc:** williamtcayetano@gmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/23/2017  
Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William Cayetano	Individual	Support	No

Comments: In support.

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**Cc:** lssnyupei@yahoo.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/23/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pei Yu	Individual	Support	No

Comments: In support.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 9:38 PM  
**To:** JUDtestimony  
**Cc:** kstreadbeck@gmail.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*



**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kelley Streadbeck	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 8:05 PM  
**To:** JUDtestimony  
**Cc:** woodworth808@gmail.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

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**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sarah woodworth	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 7:16 PM  
**To:** JUDtestimony  
**Cc:** Lauraramirez87@hotmail.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
laura Ramirez	Individual	Support	No

Comments:

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**LATE**

## TESTIMONY IN OPPOSITION

Subject: H.B. NO. 185, RELATING TO ANIMALS.  
Before: HOUSE COMMITTEE ON AGRICULTURE  
Date: Friday, February 3, 2017  
Time: 8:30 a.m.  
Location: State Capitol, Room 312  
Testimony of: Michiro Iwanaga, President Shetland Sheepdog Club of Hawaii, Vice-President of West Oahu Kennel Club, and Director of the Obedience Training Club of Hawaii

---

Chair Creagan and Members of the Committee:

All of the dog enthusiasts I know of who exhibit in confirmation shows or engage in agility or obedience competitions and who breed dogs do so for the primary purpose of furthering and improving their chosen breed, all in an effort to get the next dog that will be the loving focus of their show and competitive activities. They do so with the greatest concern and care for the welfare of their dogs and puppies, at great expense to themselves, and ultimately with no personal profit.

H.B. 185 makes no distinction between a search of a residence of any of these individuals and a search of the true business premises of abusive breeder. As a result, the bill would expose these well-meaning and law abiding individuals—individuals who pose no threat to animal welfare—to unbridled searches of their homes without any showing of probable cause and without any of the other procedural safeguards characteristic of our free society. Moreover, the bill provides assurances that the persons conducting these midnight raids will be properly

screened and trained. The bill fails to define any goals to be achieved or standards to be upheld by the inspections or licensing. Apparently, these goals and standards are left to be figured out later. In short, H.B. 185 is truly a poorly thought out “solution” looking for a problem.

Respectfully submitted,

Michiro Iwanaga

[Michiro.iwanaga@gmail.com](mailto:Michiro.iwanaga@gmail.com)

Tel. No. (808) 372-4124

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 5:45 PM  
**To:** JUDtestimony  
**Cc:** jhannahlynx3@gmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

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**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jhannahlyn	Individual	Support	No

Comments: Many people breed their dogs to sell. But due to human negligence, many animals end up on the street. There are too many stray animals. Most, end up in the shelters. Others die out on the streets.

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Kehau Lyons  
kehaulyons@gmail.com  
808-342-6447

Feb. 23, 2017

1945 Naio Street  
Honolulu, Hawaii  
96817

**LATE**

## **Regarding HB185**

I greatly support HB185 in strengthening Hawaii's regulations for animals. I've personally seen suffering of dogs and cats (and on occasion, one horse) without access to water by negligent owners. I also have seen multiple different dogs being chained on extremely short leashes stuck in their owners yards having to face a dull and unloved life in Hawaii's hot sun without so much as shelter to shield themselves where temperatures regularly hit 85° F. No animal deserve cruel and abusive behavior from humans.

All animal breeders should be held accountable to their "business" and should not be able to do whatever they want. Through investigations by The Hawaiian Humane Society and local media outlets, we see again and again, that some people are cruel and should not be allowed to ever be responsible for animals. We as citizens of Hawaii need to hold people that work with animals to be help accountable for their actions and to recognize that if an animal is hurt/injured/killed in an evil and negligent manner, it is on ALL of us.

Mahalo, again, I greatly support HB 185.

Kehau Lyons



**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 4:52 PM  
**To:** JUDtestimony  
**Cc:** mauicat7@yahoo.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
michael willinsky	Individual	Oppose	No

Comments: Please remove cat and poison from your proposed bill. Enough already. Cats are targeted in Hawaii even though many factors other than cats exist that impact out environment even more. Cats are your scapegoat for everything. Not true!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 22, 2017 4:15 PM  
**To:** JUDtestimony  
**Cc:** staegej001@hawaii.rr.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/22/2017  
Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Staege	Individual	Oppose	No

Comments:

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**LATE**

JUDtestimony

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From: Ginny Tiu <g2@hokua.org>  
Sent: Thursday, February 23, 2017 2:37 AM  
To: JUDtestimony  
Subject: In strong support of HB 185

Dear Chair Nishimoto, Vice Chair San Buenaventura, and Committee members,

Please support HB 185. It is critical to have some form of regulation and oversight pertaining to large scale breeders. Most businesses (who are not even dealing with lives), are required to be licensed and meet some form of standard, usually for the protection of the consumer. This bill would not only protect the consumer (from buying the offspring of dogs receiving substandard care), but also protect helpless animals from suffering. Ethical breeders who are giving adequate and humane care to their animals should not be against this bill because they should not have anything to hide.

I also support the intent of the animal cruelty section of this bill.

PLEASE support HB 185. Thank you very much.

Aloha,  
Ginny Tiu

Sent from my iPhone

**LATE**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 23, 2017 9:15 AM  
**To:** JUDtestimony  
**Cc:** octopus@maui.net  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/23/2017  
Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rene Umberger	Individual	Support	No

Comments:

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JUDtestimony

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From: mailinglist@capitol.hawaii.gov  
 Sent: Wednesday, February 22, 2017 8:42 PM  
 To: JUDtestimony  
 Cc: bwitch75@icloud.com  
 Subject: Submitted testimony for HB185 on Feb 23, 2017 14:00PM

Categories: Green Category

**HB185**

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brenda Nakamoto	Individual	Oppose	No

Comments: The reason why I oppose this bill is because I think we have enough regulations on dog breeders. Thank you.

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**LATE**

February 22, 2017

**Committee on Judiciary**

Rep Scott Y Nishimoto, Chair

Rep Joy A San Buenaventura, Vice Chair

Committee Members

Ref: HB 185, HD1, HSCR288

Hearing date 2/23/17 at 2:00 PM

Dear Committee Members,

I am writing in opposition to HB 185, HD1, HSCR288.

While I would support any measure dealing with “Animal Welfare, Cruelty to Animals, and Animal Abandonment”, imposing licensing requirements for Hawaii residents who decide to breed their dogs is not the means to accomplish this. Each time we see news coverage of a rescue being performed at a overrun shelter, or at the home of an animal hoarder or unethical breeder, we can always be assured the various the Humane Societies (I think Oahu has several now?) and other animal activists groups will be in full force during the legislative session to push for licensing and registration of anyone breeding or offering puppies for sale.

Again, the problem Hawaii faces isn't that laws don't exist to prevent animal cruelty, but rather with the enforcement of those laws. Requiring a license to breed which include an approval process, an initial inspection, subsequent un-announced inspections, fees and burdensome record keeping will not affect those engaged in acts of animal cruelty; these types of individuals simply won't register for a license.

Both Human Societies support this measure stating the need to regulate “Large Scale Breeders”. As this measure is currently written, individuals could be forced to be licensed and fall under inspection requirements if they have as few as 3 dogs. This seems excessive and a waste of taxpayer dollars.

The Department of Commerce and Consumer Affairs has already opposed their involvement as the enforcing agency for this measure, which in itself should be reason enough to remove the licensing and registration portion. I question anyone's ability to adequately enforce this measure as it is written. The Department of the Attorney General has also recommended deferring this measure until more consideration to its impact can be evaluated. Why then does this bill continue to be heard?

I have great concerns about the costs associated with obtaining a license and feel that the fee structure, the approval process, and the inspection element will most assuredly be aimed by special interest groups to deter dog breeding of any kind.

Section 4 – 9 and section 711- (Pages 3-10) gives entirely too much authority to the enforcement and penalty process where cruelty may not be present. Not having a license to breed does not constitute animal cruelty. Too much of this measure seems directed at the consequences for not being licensed rather than for acts of animal cruelty, which I do not believe was the intent of this measure when it was first introduced given its report title.

I support measures where preventing animal cruelty remains the focus, rather than regulation of ownership. Remove the sections relating to licensing requirements, and I would be able to support HB 185 HD1 HSCR288.

Respectfully,

Ricky Baker  
(808) 696-1083

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 23, 2017 10:53 AM  
**To:** JUDtestimony  
**Cc:** kellycraven@hotmail.com  
**Subject:** Submitted testimony for HB185 on Feb 23, 2017 14:00PM



**HB185**

Submitted on: 2/23/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Raquel Craven	Individual	Support	No

Comments: I urge you to support HB185 to ensure that minimal standards are in place to ensure the welfare of innocent animals in large-scale breeding operations. Hawaii has witnessed too many cases of intolerable cruelty over the years, and inspections and standards must be enacted and enforced to ensure these cases are never seen again. Thank you-

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 23, 2017 10:51 AM  
**To:** JUDtestimony  
**Cc:** chelsiew12@gmail.com  
**Subject:** \*Submitted testimony for HB185 on Feb 23, 2017 14:00PM\*

**HB185**

Submitted on: 2/23/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chelsie Counsell	Individual	Support	No

Comments:

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