

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 6:44 PM
To: AEN Testimony
Cc: crystalkpaul@yahoo.com
Subject: *Submitted testimony for SB802 on Feb 8, 2017 13:15PM*

LATE

SB802

Submitted on: 2/7/2017

Testimony for AEN/PSM on Feb 8, 2017 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Kia Paul	Individual	Support	No

Comments:

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.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 8:04 PM
To: AEN Testimony
Cc: sydneynhawaii50@yahoo.com
Subject: Submitted testimony for SB802 on Feb 8, 2017 13:15PM



SB802

Submitted on: 2/7/2017

Testimony for AEN/PSM on Feb 8, 2017 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
christine harris	Individual	Comments Only	No

Comments: I have been volunteering since last November with the Waianae Rescue dogs. Many could hardly walk, eat and so scared. Because of the dedicated Staff and volunteers many of the dogs have been fostered to loving homes and many are now running and playing with volunteers and staff. Please stop this abuse and also the law of dogs tethered or chained outside. On behalf of all animals lovers PLEASE HELP as we are their voice.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 7, 2017 5:48 PM
To: AEN Testimony
Cc: ashzz@mac.com
Subject: Submitted testimony for SB802 on Feb 8, 2017 13:15PM



SB802

Submitted on: 2/7/2017

Testimony for AEN/PSM on Feb 8, 2017 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Wilcox	Individual	Support	No

Comments: Animals deserve humane and compassionate treatment.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 8, 2017 10:32 AM
To: AEN Testimony
Cc: steve@playtoplay.net
Subject: Submitted testimony for SB802 on Feb 8, 2017 13:15PM

SB802

Submitted on: 2/8/2017

Testimony for AEN/PSM on Feb 8, 2017 13:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Jefferson	Individual	Support	No

Comments: All entities that accept donations to care for animals should be open for inspection and keep good records. If they are afraid to show they are honest and safe, they should not be allowed to accept money for their work.

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LATE

Testimony in Support of SB 802

Sen. Gabbard, Sen. Riviere and members of the Senate Agriculture 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) respectfully requests that you **vote yes on SB802**. Hawaii needs access to uniform and comprehensive data regarding all the different entities who provide animal shelter and rescue services. The legislature is often asked to pass bills when we don't have a clear idea of how many animals are in need of permanent homes and where these animals come from. While the humane societies with County contracts provide annual reports, there are great differences between the islands in reporting styles and data included. There is data that shows national trends but we don't have a clear idea of what is occurring in Hawaii with the number of rescue organizations increasing. While the intent of SB 802 is good, as written, SB 802 has several areas of concerns.

- It includes the humane societies as entities to be licensed. Humane societies already hold the county contracts on each island to do enforcement for animal related laws. Would the humane society inspect itself? Would they inspect each other?
- While the intent might be to avoid burdening the State Department of Agriculture and delegate oversight to a county entity, this model opens itself up to wide variations in ordinances that may hinder the regulation of these entities in the long run.
- The information that will be required to be recorded is not enough to provide data that yield statistically significant data. We have attached proposed amendments that were drafted in collaboration with the NAIA to this testimony for your consideration.

The Pacific Pet Alliance has for a several years been working with the National Animal Interest Alliance's (NAIA) Shelter Project to get data from Hawaii included. Most of the humane societies may be already utilizing the Asilomar form of data collection so it should not be an increased burden to them. If you visit the Shelter Project's page for Hawaii, you will find that limited data was available for Kauai, Maui, and Hawaii Island Humane Societies and no useable data could be found for Hawaiian Humane Society.

http://shelterproject.naiaonline.org/shelter_data/states/12

The Pacific Pet Alliance would like to recommend that this bill be amended to “mandatory registration” versus “licensing”. This move would help to increase compliance with the new law. A registration fee could be attached with funds going to the entity that will consolidate the record keeping for each island. We request that this data be public record and be available online. The general public deserves accountability by entities who solicit donations.

It is PPA’s hope that by creating such a registry, it would also help to improve networking opportunities between entities with similar goals on each island as well as statewide besides allowing us to see trends in our pet population data.

Thank you for this opportunity to testify before you.

Lynn Muramaru
Board Member
Pacific Pet Alliance

A BILL FOR AN ACT

RELATING TO ANIMALS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

"CHAPTER

REGULATION OF ANIMAL RESCUE ENTITIES

§ -1 **Definitions.** As used in this chapter:

"Animal" means any nonhuman mammal, bird, reptile, amphibian, or fish.

"Animal rescue entity" means an individual or organization, including but not limited to an animal control agency, humane society, animal shelter, animal sanctuary, or boarding kennel, but excluding a veterinary facility, that keeps, houses, and maintains in its custody on site or elsewhere ten or more animals and that solicits or accepts donations in any form.

"Enforcing agency" means the agency designated as the enforcing agency by the county. (This needs to be changed to a state level agency for unified process statewide)

§ -2 **License Mandatory registration required.** (a) An animal rescue entity shall ~~obtain a license issued by~~ register with the enforcing agency in accordance with this section and comply with the following licensing requirements:

- (1) Any rules or ordinances adopted by the **enforcing agency**;
- (2) Payment of a reasonable fee, as determined by the **enforcing agency**, for a ~~license~~ **registration** or an annual renewal of the ~~license~~ **registration** to provide for the actual cost of enforcing this section; and
- ~~(3) Payment of the license fee to the director of finance of the county in which the entity operates.~~
- (3) Complete application that includes the physical address and agent for the animal rescue entity.**

~~(b) Each county council shall have the power to set standards for animal rescue entity licenses. An applicant for an animal rescue entity license shall demonstrate that the applicant complies with all standards imposed under applicable law.~~

~~(c) The enforcing agency shall not issue or renew a license under this section unless the animal rescue agency is in compliance with the requirements of this chapter.~~

~~(d) An animal rescue entity may transfer a license issued under this section to another individual or organization with the written consent of the enforcing agency; provided that the transferee otherwise qualifies to be licensed as an animal rescue entity under this section and rules applicable to the transferee and does not have a certified unpaid debt to the State. The transferee shall submit a signed release to the enforcing agency permitting the performance of a background investigation of the transferee, and the enforcing agency shall conduct the background investigation.~~

§ -3 Recordkeeping; requirements. (a) An animal rescue entity shall keep a record for each animal in its custody that contains the following information:

- (1) The conditions under which the entity came into custody of the animal, including date of intake and source of the animal;
- (2) The date of birth of the animal or, if the date of birth is unknown, the approximate age of the animal;
- (3) The **species**, sex, breed type, and weight of the animal at intake;
- (4) A photograph of the animal taken within twenty-four hours of intake;

(5) The number of offspring the animal produced while in the possession or control of the entity, if applicable; and

(6) The disposition the entity makes of each animal possessed by, controlled by, or in the charge of the entity, including date and manner of disposition, **including euthanasia**, and the name and address for any individual or organization taking possession, control, or charge of an animal from the entity.

(b) Records kept in accordance with subsection (a) shall be kept by the animal rescue entity for three years from the date of disposition of each animal in its custody.

(c) An animal rescue entity shall permit an authorized representative of the **enforcing agency** to inspect records of the entity required by this section and shall furnish reports and information as requested by the **enforcing agency**.

(d) Records kept by an animal rescue entity in accordance with subsection (a) shall be reported to (the designated state enforcing agency) by February 15 of each year for the previous calendar year. The data shall be compiled by (the designated state agency) and made available to the public.

~~§ -4 Inspection. (a) Whenever an authorized representative of an enforcing agency is advised or has reason to believe that an animal rescue entity is operating without a license, the representative may visit and conduct an on-site investigation of the premises of the animal rescue entity.~~

~~(b) At any reasonable time, an authorized representative of an enforcing agency may conduct an on-site investigation of the premises of any licensed animal rescue entity to determine whether the entity is in compliance with the requirements of this chapter.~~

~~§ -5 Penalty. (a) A violation of this chapter by an animal rescue entity may result in imposition of civil penalties to be determined by the enforcing agency, including but not limited to the impoundment of all animals under the entity's control, the revocation of the entity's~~

~~license to operate as an animal rescue entity, and civil penalty of not more than \$500 per violation.~~

~~— (b) Before a civil penalty may be imposed under this section, the enforcing agency shall adopt rules or ordinances to:~~

~~— (1) Ensure that an individual or organization who is the subject of an alleged violation receives notice of the allegations and potential imposition of civil penalties;~~

~~— (2) Allow the opportunity for a hearing prior to the imposition of civil penalties; and~~

~~— (3) Allow the opportunity for judicial review of the imposition of civil penalties.~~

Any animal rescue entity that fails to report the information required under sections 3 of this act within 30 days of the date required may not adopt animals to the public or transfer animals to another releasing agency until the report is filed with the Department.

§ -6 **Disposition of fees and penalties.** All moneys received by the director of finance under this chapter shall be paid into ~~the a~~ general fund ~~of the respective county~~ and shall be used for **enforcing agency** operations taken pursuant to this chapter and applicable ordinances."

SECTION 2. This Act shall take effect on July 1, 2017.

INTRODUCED BY: _____

