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PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE HOUSE COMMITTEE ON
ECONOMIC REVITALIZATION & BUSINESS

TWENTY-SIXTH STATE LEGISLATURE
REGULAR SESSION, 2010

TUESDAY, MARCH 29, 2011
8:00 A.M.

TESTIMONY ON
HOUSE CONCURRENT RESOLUTION NO. 79
REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW TO DETERMINE
WHETHER LARGE SCALE DOG BREEDERS SHOULD BE LICENSED BY THE
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

1
TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR,
AND TO THE HONORABLE ISAAC W. CHOY, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("DCCA") appreciates the opportunity to testify on H.C.R. No. 79. My name is Jo Ann Uchida of the DCCA's Regulated Industries Complaints Office ("RICO"). RICO offers the following comments and amendments.

H.C.R. No. 79 requests that the Auditor conduct a sunrise review of the regulation of large-scale dog breeders and dog breeding facilities by the DCCA as proposed in House Bill No. 1621. House Bill No. 1621 would require, among other things, that large-scale dog breeders be licensed by the DCCA.

RICO concurs with the request that the Auditor conduct a sunrise review of the regulation of large-scale dog breeders and dog breeding facilities. However, and as the DCCA's enforcement agency, RICO is concerned that the expertise and resources necessary to enforce any regulation for large-scale dog breeders is beyond RICO's capacity at the present time. As a result, RICO respectfully requests that the Auditor's review include an evaluation of whether regulation, if any, should be placed with the DCCA or with some other governmental or nongovernmental agency.

RICO also notes that the U.S. Department of Agriculture currently administers the Animal Welfare Act and licenses large-scale breeders for certain types of activity. To the extent that House Bill No. 1621 contemplates complementary state regulation, RICO suggests that the Auditor's review also include a discussion of how the proposed regulation would be reconciled with the federal law and the existing state laws governing domestic animals, animal quarantine, and dog licensure. These state laws are currently administered by the Department of Agriculture.

As such, RICO recommends that the following language be added to the resolution:

WHEREAS, section 26H-6, Hawaii Revised Statutes, requires the Auditor to assess alternative forms of regulation; * * *

BE IT RESOLVED by the House of Representatives of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2011, the Senate concurring, that the Auditor is requested to perform a sunrise review of the regulation of large scale dog breeders by the Department of Commerce and Consumer Affairs as contemplated under H.B. No. 1621, introduced during the Regular Session of 2011, and shall include in the review an assessment of alternative forms of regulation; and * * *

Thank you for this opportunity to testify on H.C.R. No. 79. I will be happy to answer any questions that the members of the Committee may have.



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**PRESENTATION OF THE
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE HOUSE COMMITTEE ON ECONOMIC REVITALIZATION AND BUSINESS

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011**

**Tuesday, March 29, 2011
8:00 a.m.**

**TESTIMONY ON HOUSE CONCURRENT RESOLUTION NO. 79, REQUESTING THE
AUDITOR TO CONDUCT A SUNRISE REVIEW TO DETERMINE WHETHER LARGE
SCALE DOG BREEDERS SHOULD BE LICENSED BY THE DEPARTMENT OF
COMMERCE AND CONSUMER AFFAIRS.**

**TO THE HONORABLE ANGUS L. K. MCKELVEY, CHAIR,
AND MEMBERS OF THE COMMITTEE:**

My name is Celia Suzuki, Acting Licensing Administrator of the Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to testify in support of H.C.R. No. 79.

This concurrent resolution requests that the Auditor conduct a sunrise review of the regulation of large-scale dog breeders, pursuant to section 26H-6, Hawaii Revised Statutes ("HRS"), as proposed to be contemplated under House Bill No. 1621, introduced during the Regular Session of 2011. The Auditor's analysis would set forth

the probable effects of the proposed regulatory measure, assess whether its enactment is consistent with the purposes of section 26H-2, HRS, and assess alternate forms of regulation.

Thank you for the opportunity to testify in support of H.C.R. No. 79.



**THE HUMANE SOCIETY
OF THE UNITED STATES**

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

Committee on Economic and Business Revitalization, 3-29-11, 800am, Rm 312

RE: Testimony in SUPPORT of HCR 79; Sunrise Review- Dog Breeders

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States,
P.O. Box 89131, Honolulu, HI 96830, igibson@hsus.org, 808-922-9910

On behalf of our more than 49,400 members and supporters in Hawaii, we thank the Committee for considering this important measure to protect both dogs and consumers.

The purpose of this Resolution is to request the Auditor's office to conduct an sunrise review and analysis of dog breeders; currently an unregulated and unlicensed profession. This measure complements SB 1522/HB 1621 which would require that large-scale dog breeding operations be licensed and provide each dog under their care with basic food and water, adequate shelter from the elements, necessary veterinary care, adequate space to turn around and stretch his or her limbs, access to space for critical exercise and adequate rest between breeding cycles. These most basic requirements are found in a number of state laws, but sorely lacking in Hawaii.

Animal Welfare Concerns:

Dogs at puppy mills, also known as large scale commercial breeding operations, typically receive little to no medical care, often live in squalid conditions with no exercise, socialization or human interaction and are confined inside cramped wire cages for life. Breeding dogs must endure constant breeding cycles and are typically confined for years on end, without ever becoming part of a family. The breeding "stock" live their entire lives confined to small cages, devoid of human companionship. They are often victims of filth, inadequate shelter, overcrowding, and insufficient food and water. In addition, these dogs are bred repeatedly and often receive little or no veterinary care.

Consumer Protection Concerns:

Dogs from these large-scale breeders are often sold in pet stores, online, via newspaper ads and in some cases directly to consumers with little to no regard for the dog's health, genetic history or future welfare. Puppies are often taken from their mothers for sale to pet stores at approximately 8 weeks of age, when they are highly susceptible to contagious diseases such as parvovirus and are very sensitive to behavioral stress. Poor breeding practices can also lead to serious genetic problems such as hip dysplasia—an often painful and crippling disorder.

Again, we respectfully urge your support of HCR 79 to better protect dogs and consumers alike.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 24, 2011 7:21 PM
To: ERBtestimony
Cc: swartzg001@hawaii.rr.com
Subject: Testimony for HCR79 on 3/29/2011 8:00:00 AM

Testimony for ERB 3/29/2011 8:00:00 AM HCR79

Conference room: 312
Testifier position: oppose
Testifier will be present: No
Submitted by: gregory swartz
Organization: Individual
Address:
Phone:
E-mail: swartzg001@hawaii.rr.com
Submitted on: 3/24/2011

Comments:

Yes, it is absolutely necessary that large-scale dog breeders be licensed and more importantly, regulated. While I agree that there are too many "professions" that want to be licensed, a sunrise review in this case is a waste of time and money. I hope the Legislature acts quickly to address the reoccurring problems with breeders.

From: Diana Nishida [DSNISHIDA@AOL.COM]
Sent: Monday, March 28, 2011 12:47 PM
To: ERBtestimony
Subject: Please support this bill!

Please support this bill! We have to be the voice for these animals since they can't speak for themselves. They don't ask to be treated this way. They only want to love us, and we should love them back! Thank you.