

Committee Report

CONSENT CALENDAR

February 18, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Environment and Agriculture to
which was referred HB 250,**

**AN ACT relative to pet vendors. Having considered the
same, report the same with the following amendment,
and the recommendation that the bill OUGHT TO PASS
WITH AMENDMENT.**

Rep. Howard Pearl

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Environment and Agriculture
Bill Number:	HB 250
Title:	relative to pet vendors.
Date:	February 18, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-0350h

STATEMENT OF INTENT

As amended, this bill raises the threshold to qualify as a pet vendor by 5 dogs and 10 cats. The threshold was cut in half (25 dogs and 25 cats) in the 2019 budget bill HB4 and has caused significant issues for small breeders in NH. The bill also provides an exemption process for a breeder that hasn't qualified to be a pet vendor in the previous four years but has an exceptionally large litter and would suddenly have to register. Also, the bill clarifies the intent of the legislature on the zoning requirements necessary to be a pet vendor. The current statute is unclear and has caused some breeders to comply with onerous zoning requirements that the legislature never intended.

Vote 18-1.

Rep. Howard Pearl
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Environment and Agriculture

HB 250, relative to pet vendors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard Pearl for Environment and Agriculture. As amended, this bill raises the threshold to qualify as a pet vendor by 5 dogs and 10 cats. The threshold was cut in half (25 dogs and 25 cats) in the 2019 budget bill HB4 and has caused significant issues for small breeders in NH. The bill also provides an exemption process for a breeder that hasn't qualified to be a pet vendor in the previous four years but has an exceptionally large litter and would suddenly have to register. Also, the bill clarifies the intent of the legislature on the zoning requirements necessary to be a pet vendor. The current statute is unclear and has caused some breeders to comply with onerous zoning requirements that the legislature never intended. **Vote 18-1.**

Original: House Clerk

Cc: Committee Bill File

Amendment to HB 250

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Pet Vendor; Definition. Amend RSA 437:1, IV to read as follows:

4 IV. "Pet vendor" means any person, firm, corporation, or other entity that transfers ~~[25]~~ **30**
5 or more dogs, ~~[25]~~ **35** or more cats, 30 or more ferrets, or 50 or more birds, live animals or birds
6 customarily used as household pets to the public, with or without a fee or donation required, and
7 whether or not a physical facility is owned by the licensee in New Hampshire, when transfer to the
8 final owner occurs within New Hampshire, between ~~[July 1 and June 30]~~ **January 1 and December**
9 **31** of each year. Pet vendor also means any person, firm, corporation, or other entity that transfers
10 amphibians, reptiles, fish, or small mammals customarily used as household pets to the public in
11 quantities set in rules adopted by the department, with or without a fee or donation required, and
12 whether or not a physical facility is owned by the licensee in New Hampshire between ~~[July 1 and~~
13 ~~June 30]~~ **January 1 and December 31** of each year. Nothing in this paragraph shall be construed
14 to alter or affect the municipal zoning regulations that a pet vendor shall conform with under RSA
15 437:3.

16 2 Exemptions; Commercial Kennel Deleted. Amend RSA 437:7 to read as follows:

17 437:7 Exceptions.

18 **I.** The license provisions of this subdivision shall not apply to breeders of dogs or cats that
19 do not meet the definition of pet vendor in RSA 437:1, veterinarians, or the transfer of livestock or
20 poultry.

21 **II.(a)** *A person who has previously not met the requirements for licensure as a pet*
22 *vendor but who intends to transfer more than 30 dogs or 35 cats in a year may apply to the*
23 *commissioner for an exemption from licensure as a pet vendor if he or she meets the*
24 *following criteria:*

25 **(1)** *The person has transferred fewer than 30 dogs or 35 cats annually in the*
26 *previous 4 12-month periods beginning January 1 and running through the following*
27 *December 31; and*

28 **(2)** *The person has not been required to register as a pet vendor in the*
29 *previous 4 12-month periods beginning January 1 and running through the following*
30 *December 31.*

31 **(b)** *The commissioner shall make a determination on such exemption within 15*
32 *days of its submission. Such exemption shall expire on the June 30 following its issuance.*

1 (c) *A person exempt from licensure as a pet vendor under this paragraph may*
2 *transfer no more than 15 dogs or 15 cats in addition to the 30 dog or 35 cat limit in*
3 *subparagraph (a) within the period his or her exemption is valid.*

4 3 Requirements for Sale of Animals. Amend the introductory paragraph of RSA 437:3 to read as
5 follows:

6 No pet vendor shall transfer animals or birds without a license. A pet vendor shall apply to the
7 commissioner for a license, giving such information as the commissioner shall require. ~~The~~
8 ~~application]~~ ***A pet vendor that transfers more than 50 or more dogs, 50 or more cats, 50 or***
9 ***more ferrets, or 50 or more birds*** shall include proof that the zoning enforcement official of the
10 municipality wherein any facility is to be maintained has certified that the facility conforms to the
11 municipal zoning regulations ***in his or her application***. The application shall be accompanied by a
12 non-refundable \$200 fee. All licenses shall expire on June 30 of each year and be subject to renewal
13 upon submission of a new application. No licenses shall be transferable. A pet vendor licensed
14 under this subdivision shall:

15 4 Effective Date. This act shall take effect upon its passage.

Voting Sheets

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



02/17/2021 9:57:30 AM
Roll Call Committee Registers
Report

2021 SESSION

Environment and Agriculture

Bill #: HB250 Motion: OTP/A AM #: 2021-0350H Exec Session Date: February 17, 2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearl, Howard C. Chairman	X		
Aron, Judy F. Vice Chairman	X		
Comtois, Barbara Clerk	X		
Verville, Kevin G.	X		
Davis, Arnold G.	X		
Stapleton, Walter A.	X		
Homola, Susan	X		
Kennedy, Margaret Anne	X		
Mason, James L.	X		
Sanborn, Gail E.	X		
Bixby, Peter W.	X		
Sofikitis, Catherine M.	X		
Bouldin, Andrew J.	X		
Dutzy, Sherry	X		
Murray, Megan A.	X		
Von Plinsky, Sparky	X		
Caplan, Tony		X	
Hyland, Stephanie M.	X		
Perez, Maria	X		
TOTAL VOTE:	18	1	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



02/17/2021 9:57:30 AM
Roll Call Committee Registers
Report

2021 SESSION

Environment and Agriculture

Bill #: HB250 **Motion:** Adopt amendment **AM #:** 2021-0350H **Exec Session Date:** February 17, 2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearl, Howard C. Chairman	X		
Aron, Judy F. Vice Chairman	X		
Comtois, Barbara Clerk	X		
Verville, Kevin G.	X		
Davis, Arnold G.	X		
Stapleton, Walter A.	X		
Homola, Susan	X		
Kennedy, Margaret Anne	X		
Mason, James L.	X		
Sanborn, Gail E.	X		
Bixby, Peter W.	X		
Sofikitis, Catherine M.	X		
Bouldin, Andrew J.	X		
Dutzy, Sherry	X		
Murray, Megan A.	X		
Von Plinsky, Sparky	X		
Caplan, Tony		X	
Hyland, Stephanie M.	X		
Perez, Maria	X		
TOTAL VOTE:	18	1	

Public Hearing

Rep. Murray – Q. page 2 line 2 of amendment, just a small grammatical error? A. it is the way OLS wrote it, but will take a look at it

Rep. Bouldin – Q. Do you know whether anyone has gone over the 25, A. please defer to Commissioner Q. will those who have registered be grandfathered in A. as written if the person seeking an exception had or registered to be a Pet Vendor it would be 4 years to seek exemption?

Rep. Homola – Q. cited number of cats, 35 A. the new amendment changed to 35

Commissioner Jasper – he does not know how many new Pet Vendors we have registered – State Vet emailed info – when threshold was 50 it was 5 and now it is 18 for dogs – relative to date – when in the process wanted date change to give them a 6-month window

Rep. Bixby Q. submission of Health Certificate is listed as optional, is that creating an impediment – A. not the best way to do it – there is no way currently for us to catch them – legislature put the cart before the horse – increase in numbers will not make a difference to us – issued 2 letters to Pet Vendors for licensure requirements

Rep. Kennedy Q. Would the 6-month window, would a qualify by December 31st would they not get licensed to July 1st – A. it does not create any problem – Dr. Crawford A. we do not make people wait to get licensed

Angela Ferrari – DOGS – this bill is due to legislation passed in 2019 that did not get a public hearing and was passed in the budget bill – grateful for increases in bill – history on litter sizes a dog can have anywhere from 1 to 12 puppies up to 20 with 12 being the average for large breeds - there isn't necessarily anything wrong with becoming Pet Vendors, but are concerned with additional fees and disease being brought into home by inspections – concerned with animal rights activists getting there information – Some confusion regarding the timing of becoming Pet Vendor – the new numbers are still a 30 to 35% drop from previous numbers, the biggest part of bill that she likes is adjustment to zoning law, it was causing a lot of problems for the hobby breeder due to the lower threshold. – the license application has been causing some issues with due process for these hobby breeders, we do not want to lose the hobby breeders and preservationist breeders who are responsible in making sure they have healthy puppies through testing

Rep. Bixby – Q. could you explain why transferring animals is important for breeders A. she breeds because she is trying to produce a dog that has better health, she likes to compete

Commissioner Jasper – apologize as he had not seen amendment to zoning – this would continue to create a conflict and should make it a grandfathering process, but for those who want to come on-line should stay in line with the new threshold

Rep. Davis – A. if you transfer 29 dogs, they are not a Pet Vendor but at 30 they are A. yes

Rep. Bouldin – Q. can we make the exemption period do it in a step approach A. let me speak with the Commissioner and Dr. Crawford

Nancy Holmes – New Boston, NH – written testimony – really confused on the exemption year and the license year is different A. exempted from licensing year July 1 to June 30 – in Jan 2021 we would know everyone who had HC issued in 2020 and would tell us all the people who would need to be licensed from # of puppies will be counted on the calendar year and will let you know if you need to be licensed for July 1 of the following year – if you go over and are not going to produce any puppies in 2022 you can get the exemption

Rep. Bouldin Q. Page 2 line 2 – December 31 should probably say June 30 A. that is very technical – believes will need to have a deeper conversation Q. regarding work session A. we are not allowed to have work sessions

House Remote Testify

Environment and Agriculture Committee Testify List for Bill HB250 on 2021-02-03

Support: 56 Oppose: 2 Neutral: 0 Total to Testify: 1

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Ferrari, Angela	dogs.nh@gmail.com	A Member of the Public	Dog Owners of the Granite State	Support	Yes (3m)	No	1/31/2021 4:53 PM
Kimball, Joanna	blacksheepcardigans@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2021 8:02 PM
Munroe, Pamela	Lena252@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2021 8:18 PM
Kazenas, Sue-Ann	sueannkazenas@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2021 8:50 PM
Holmes, Nancy	finkaffen@ix.netcom.com	A Member of the Public	Myself	Support	No	No	2/1/2021 2:04 PM
Bourbeau, Joanne	jbourbeau@humanesociety.org	A Lobbyist	The Humane Society of the United States' NH Office	Oppose	No	No	2/1/2021 3:41 PM
Wilkins, Leanne	Teraleepom@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 3:59 PM
Condon, Christopher	chris@condon.net	A Member of the Public	Myself	Support	No	No	2/1/2021 4:14 PM
Tyree, Dianne	di24kk9s@wexfordgold.com	A Member of the Public	Myself	Support	No	No	2/1/2021 4:20 PM
Harriman, Marie	marie@harriman.net	A Member of the Public	Myself	Support	No	No	2/1/2021 4:21 PM
Fields, Marla	k9queen@metrocast.net	A Member of the Public	Myself	Support	No	No	2/1/2021 4:30 PM
Wicks, Patricia	Nhrotties@yahoo.com	A Member of the Public	Myself	Support	No	No	2/1/2021 4:33 PM
RUSSELL, JEFFREY	krussell@conknet.com	A Member of the Public	Myself	Support	No	No	2/1/2021 4:36 PM
Medic, Deborah	demedic@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 4:37 PM
Stickney, Lacey	Lacey@birdsupplynh.com	A Member of the Public	Myself	Support	No	No	2/1/2021 4:42 PM
Pike, Bonnie	suecross@msn.com	A Member of the Public	Myself	Support	No	No	2/1/2021 4:54 PM
St.Hilaire, Emily	Leashlady1@aol.com	A Member of the Public	Myself	Support	No	No	2/1/2021 5:03 PM
Farley, Kathy	klindobes@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2021 6:39 PM
Richardson, Diane	Workingclasscanine@msn.com	A Member of the Public	Myself	Support	No	No	2/1/2021 8:02 PM

Howard, Nancy	nancych@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 8:15 PM
Cote, Christine	Wccote@comcast.net	A Member of the Public	Myself	Support	No	No	2/1/2021 8:54 PM
Champney, Kathryn	Witchwithab70@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 9:43 PM
Williams, Cindy	HoneyPotHounds@aol.com	A Member of the Public	Myself	Support	No	No	2/1/2021 9:51 PM
Catalano, Nancy	nancyccatalano@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 10:03 PM
Ferri, Kara	sunkissedgold@gmail.com	A Member of the Public	Myself	Support	No	No	2/1/2021 10:40 PM
golden, mindy	goldenguardians@hotmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 5:10 AM
Follansbee, Susan	safollansbee@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 6:13 AM
Arivella, Joyce	jarivellanewboston@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 6:46 AM
Foucher, Jaye	jaye@sibersong.com	A Member of the Public	Myself	Support	No	No	2/2/2021 8:05 AM
Allayne, Karina	Karina.bertrand@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 8:06 AM
Dyer, Tessa	Tessaturtle@comcast.net	A Member of the Public	Myself	Support	No	No	2/2/2021 8:15 AM
Webster, Cynthia	clwebster@comcast.net	A Member of the Public	Myself	Support	No	No	2/2/2021 8:18 AM
Gettle, Jennifer	Hazelnutlabs@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 8:45 AM
Eliason, Cynthia	cyne@cmk4u.com	A Member of the Public	Myself	Support	No	No	2/2/2021 9:15 AM
MacIntyre, Karen	Mackzwinger@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 9:36 AM
Ober, Stacey	Stacey.Ober@akc.org	A Lobbyist	The American Kennel Club	Support	No	No	2/2/2021 9:48 AM
Dewey, Karen	pkdewey@comcast.net	A Member of the Public	Myself	Support	No	No	2/2/2021 10:03 AM
Hantz, Andrea	pearlypondps@aol.com	A Member of the Public	Myself	Support	No	No	2/2/2021 1:21 PM
Irwin, Virginia	biddy.irwin@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 10:46 AM
Fitts, Melodie	mlfitts@metrocast.net	A Member of the Public	Myself	Support	No	No	2/2/2021 11:00 AM
Dubuque, Carol	vtweims@aol.com	A Member of the Public	Myself	Support	No	No	2/2/2021 11:40 AM
Heckman, Martha	venturaknl@comcast.net	A Member of the Public	Myself	Support	No	No	2/2/2021 11:43 AM
DeMasi, Gail	gaildemasi@live.com	A Member of the Public	Myself	Support	No	No	2/2/2021 12:12 PM
DeMasi, Lily	omniaperipsum@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 12:18 PM
Tinker, Elaine	Etink0212@yahoo.com	A Member of the Public	Myself	Support	No	No	2/2/2021 12:25 PM
COOK, GEORGE	georgecookiv@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 3:07 PM

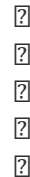
Clifford, Nova	Maggiestella123@gmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 5:52 PM
Aunchman, Dawn	Belauch@aol.com	A Member of the Public	Myself	Support	No	No	2/2/2021 7:07 PM
Belanger, Christopher	Pipefitterboston@aol.com	A Member of the Public	Myself	Support	No	No	2/2/2021 7:08 PM
Belanger, Austin	Belauch@aol.com	A Member of the Public	Myself	Support	No	No	2/2/2021 7:10 PM
Schwartz, Raymond	Prismsdad@aol.com	A Member of the Public	Myself	Support	No	No	2/2/2021 8:26 PM
Mennella, Alexandra	amennella1@protonmail.com	A Member of the Public	Myself	Support	No	No	2/2/2021 8:28 PM
Moore, Charles	chazdmoore@protonmail.com	A Member of the Public	Myself	Support	No	No	2/3/2021 12:49 AM
Lewis, Laura	somerri@aol.com	A Member of the Public	Myself	Support	No	No	2/2/2021 10:03 PM
Rathbun, Eric	ericrathbun@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/3/2021 11:37 AM
Marcoux, Maureen	kriskasibes@gmail.com	A Member of the Public	Myself	Support	No	No	2/3/2021 7:26 PM
Rubright, Julia	jfar1140@gmail.com	A Lobbyist	Myself	Support	No	No	1/26/2021 9:51 PM
Yokela, Josh	josh.yokela@leg.state.nh.us	An Elected Official	Rockingham 33	Support	No	No	1/28/2021 8:32 PM

Testimony

HB 250, HB 249, and HB 366.

TF

Tremblay Family <tremblayfamily@gmail.com>
Tue 2/2/2021 9:50 PM



To:

- ~House Environment and Agriculture Committee

Dear House Environment and Agriculture Committee Members,

Please support each bill I named in the
“Subject of this email.”

HB 250 is important because it helps reputable breeders to sell purebred and working dogs which are important to so many people. I feel the number really should be more, but 35 is a minimum. I feel requiring pet vendor licenses is yet another way the highly paid Humane Society lobbyists are chipping away at people’s ability to buy a purebred dog whose personality is known due to their genetics. They should stop spending money in the legislature and instead, start supporting shelters to spay and neuter the dogs and cats that come in.

HB 249 should be supported because it states exemptions to NH’s current requirements that health certificates accompany dogs to shelters within the state. Retired greyhounds are already up to date on shots and are healthy before entering the state. Also, Galgoes from Spain are carefully vetted by those adoption groups before flying them across the ocean. However none of these exemptions should involve so-called “rescues” coming in from Asian and Middle Eastern countries. Many of these dogs do carry disease, and we really shouldn’t be transporting actual “meat dogs” of unknown temperament anyway. That said, a lot of these “meat trade dogs” are really purebreds, born in foreign puppy mills.... something the HSUS wants shut down here!

HB 366 is important only because it requires treatment for hoarders. Hoarding is a sickness and these people need to be made aware of the fact that stuffing their home with too many dogs and cats or other animals doesn’t give them a happy life.

Thank you for your time. Stay safe!
Wendi Tremblay
29 Norm’s Way
Barrington, NH. 03825

Sent from my iPhone



February 2, 2021

Chairman Howard Pearl and Members of the House Environment & Agriculture Committee –

I am writing on behalf of Dog Owners of the Granite State (D.O.G.S.) to thank you for your consideration of HB 250, *relative to pet vendors*. On behalf of our membership of responsible local pet owners and breeders, D.O.G.S. offers full **support** of this bill.

In 2019 legislation was passed without going through both the House and Senate, when it was put into the budget. This legislation reduced the threshold to become a licensed breeder by 50%. This drastic reduction negatively impacted the lives and breeding programs of many responsible hobby breeders, whose primary purpose is to preserve their chosen breed. With new zoning implications some breeders were no longer able to continue their hobby. This eliminates the choice to purchase health, genetic, and working trait tested dogs and cats, while leaving only the option to purchase a dog of unknown origin, family health, or temperament history from a shelter or rescue. That aside, the new transfer numbers are currently unenforceable by the Department of Agriculture, Markets, and Food and has led to the need for a \$1million database.

HB 250 takes steps in the right direction to address these issues by:


- **Increasing the transfer threshold** for dogs (30) and cats (35). This is still a 35-40% drop from the pre-2019 numbers, but is much more reasonable than the threshold of 25 transfers in current law.
- **Adjusting the municipal zoning conformity requirements** back to the pre-2019 standard of 50 or more transfers. This does not change licensing requirements, but allows the typical hobby breeder to continue to raise litters in their current residence as they always have and not be forced to choose between their home and their passion. This was the commercial standard before the title and definition for breeders of dogs and cats was changed to Pet Vendor. There has never been a concern with the zoning laws for breeders of dogs and cats, therefore, this was an unintended consequence of the rushed, poorly thought out legislation passed in 2019.
- **Introducing an exemption** for the breeder who exceeds the transfer threshold once in a four year period. In all these years, breeders haven't figured out how to guarantee how many pups or kittens are in each litter. This makes it very difficult to ensure they don't exceed a legal threshold. Sometimes that last litter of the year could end up being so big it could put them over the limit by a single puppy. If they are consistent remaining below the threshold, but have 1 extra pup one year that sends them over, should they be subject to becoming licensed? This exemption would allow DAMF to review their request, confirm they had not gone over in the prior 4 years, and issue them an exemption for that 1 year at their discretion.

D.O.G.S. feels these are all reasonable steps to help mitigate the excessive changes to this area of law in 2019. It helps support the responsible breeders in New Hampshire, who put so much into raising healthy animals for NH residents. We should be working together to support this group of people, rather than suffocate them out of existence with the continued tightening of laws. Laws that will continue to be ignored by the bad apples who are used to try to justify changes to the laws in the first place.

Again, thank you for your consideration of HB 250. We hope that you will vote to **pass** this bill.

Sincerely,

Angela Ferrari, President, Dog Owners of the Granite State

Archived: Thursday, April 15, 2021 10:16:43 AM
From: [Angela Ferrari](#)
Sent: Tuesday, February 2, 2021 8:40:27 PM
To: ~House Environment and Agriculture Committee
Subject: D.O.G.S. Supports HB 250
Importance: Normal
Attachments:
[DOGS Support HB250.pdf](#) 

Good evening, House E&A Committee,

Attached please find the letter of support for HB 250.

Sincerely,
Angela

--

Angela Ferrari
603.769.0439

AKC Breeder of Merit
President, Dog Owners of the Granite State (D.O.G.S.)
Souhegan Kennel Club Treasurer
Pilgrim Doberman Pinscher Club Treasurer & Corresponding Secretary
Doberman Pinscher Club of America Supporting Member
National Beagle Club Supporting Member



Archived: Thursday, April 15, 2021 10:16:43 AM
From: [Joanne Bourbeau](#)
Sent: Tuesday, February 2, 2021 10:55:07 AM
To: ~[House Environment and Agriculture Committee](#)
Subject: Testimony in opposition to HB 250, relative to pet vendors
Importance: Normal
Attachments:
[Oppose HB 250 - The Humane Society of the United States.pdf](#) ;

Hello. Attached please find my testimony for tomorrow's 9 am hearing on HB 250. Thank you.

Joanne Bourbeau

Northeastern Regional Director, State Affairs
Pronouns: she/her

jbourbeau@humanesociety.org
C 301-529-3378
humanesociety.org



The Humane Society of the United States is the nation's most effective animal protection organization, fighting for all animals for more than 60 years. To support our work, please make a [monthly donation](#), give in [another way](#) or [volunteer](#).



Archived: Thursday, April 15, 2021 10:16:43 AM
From: [Stacey Ober](#)
Sent: Tuesday, February 2, 2021 9:54:06 AM
To: ~House Environment and Agriculture Committee
Cc: [Angela Ferrari](#)
Subject: AKC supports HB 250 Pet Vendors
Importance: Normal
Attachments:
Testimony HB 250 Pet Vendors 2.3.21 FINAL.pdf ;

Good morning, All.

In addition, AKC supports HB 250 regarding pet vendors. Testimony is attached.

Thank you,

Stacey Ober, J.D.

Legislative Analyst & Community Outreach, New England Region
Government Relations



t: 919-816-3348 | e: stacey.ober@akc.org

A Salute to AKC's Canine Health Foundation! Celebrating 25 Years with \$59.5 million funded to improve the health of all dogs and their owners through scientific research and dissemination of health information to prevent, treat and cure canine disease. www.akcchf.org

Archived: Thursday, April 15, 2021 10:16:43 AM
From: Tremblay Family
Sent: Tuesday, February 2, 2021 9:50:18 PM
To: ~House Environment and Agriculture Committee
Subject: HB 250, HB 249, and HB 366.
Importance: Normal

Dear House Environment and Agriculture Committee Members,

Please support each bill I named in the
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HB 250 is important because it helps reputable breeders to sell purebred and working dogs which are important to so many people. I feel the number really should be more, but 35 is a minimum. I feel requiring pet vendor licenses is yet another way the highly paid Humane Society lobbyists are chipping away at people's ability to buy a purebred dog whose personality is known due to their genetics. They should stop spending money in the legislature and instead, start supporting shelters to spay and neuter the dogs and cats that come in.

HB 249 should be supported because it states exemptions to NH's current requirements that health certificates accompany dogs to shelters within the state. Retired greyhounds are already up to date on shots and are healthy before entering the state. Also, Galgoes from Spain are carefully vetted by those adoption groups before flying them across the ocean. However none of these exemptions should involve so-called "rescues" coming in from Asian and Middle Eastern countries. Many of these dogs do carry disease, and we really shouldn't be transporting actual "meat dogs" of unknown temperament anyway. That said, a lot of these "meat trade dogs" are really purebreds, born in foreign puppy mills.... something the HSUS wants shut down here!

HB 366 is important only because it requires treatment for hoarders. Hoarding is a sickness and these people need to be made aware of the fact that stuffing their home with too many dogs and cats or other animals doesn't give them a happy life.

Thank you for your time. Stay safe!
Wendi Tremblay
29 Norm's Way
Barrington, NH. 03825

Sent from my iPhone

Archived: Thursday, April 15, 2021 10:16:43 AM
From: [Kerry Rodgers](#)
Sent: Tuesday, February 2, 2021 10:06:31 AM
To: [~House Environment and Agriculture Committee](#)
Subject: Hb 250, 249 and HB366
Importance: Normal

I support the bills HB250 to increase the number of dogs you could transfer from 25 to 30. I also support the HB 249 in regards to notifying owners of their dogs being held (checking microchips within 72 hours of being taken) and also the HB 366 to check for mental illness on hoarding cases.
thank you

Kerry Rodgers
Derry, NH
(603)548-5621

-Kerry
kerry@rodgersworld.com

Archived: Thursday, April 15, 2021 10:16:43 AM
From: [Emily St.Hilaire](#)
Sent: Monday, February 1, 2021 5:10:13 PM
To: ~House Environment and Agriculture Committee
Subject: HB 250
Importance: Normal

I support this bill

Emily St.Hilaire

Emily The Leashlady
brownhillshepherds.com

Archived: Thursday, April 15, 2021 10:18:58 AM
From: [Elliot Axelman](#)
Sent: Tuesday, February 23, 2021 11:32:56 PM
To: [~House Environment and Agriculture Committee](#)
Subject: Please support HB250!
Importance: Normal

Dear Representatives,

My family and I would like you to please support HB250. This simple bill makes it a little easier for people to conduct business without being controlled and extorted by the government.

Here is [my article](#) mentioning the bills

Thank you.

--

Elliot Axelman, FP-C
Editor-in-chief
LibertyBlock.com

Archived: Thursday, April 15, 2021 10:18:58 AM

From: [hjweeden](#)

Sent: Wednesday, February 3, 2021 12:54:18 AM

To: ~[House Environment and Agriculture Committee](#)

Subject: NH House Remote Testify: 9:00 am - HB250 in House Environment and Agriculture

Importance: Normal

Dear House Environment and Agricultural Committee,

I am writing this email to ask that you support HB177. I am the youngest of seven children, all of whom have utilized our family camp, on forest lake every year for the past 28 years. I live in Bethlehem Nh, 10 minutes away from our camp at Forest Lake. And even though we only live 10 minutes away I still pack my whole family up, the day school gets out in June, and we move into camp for the entire summer, and don't move back home until the day before school starts again in September. I grew up doing the same exact routine and I have been extremely blessed to be able to provide the same experience for my own 3 children. My six siblings and I grew up in Noth Woodstock NH, 30 minutes away from Forest Lake. We left home the day school ended and did not return back home until the day before school started again. I cant imagine doing anything different. What a beautiful, healthy place to raise a family for a huge portion of the year. Not only through the summers do we love going to camp but occasionally during the fall and winter a handful of us will spark up the wood stove and hold parties and enjoy fun times on the lake off season as well. All six of my siblings have children. 3 of our families move into camp full time each summer, 2 families come for at least 3-4 days a week, and the other two families come as much as they can manage. We all are in agreement that camp is our favorite place to be together. It has been our home away from home our entire lives. Not only does my immediate family enjoy the bliss that forest lake has to offer but I also have 3 extended family members who each own their own camps on Forest lake and grew up there, during summers, just as my own family did. Together we all enjoy everything that Forest Lake has to offer...swimming, snorkeling, fishing, turtle, loon, and bald eagle watching, boating of all kinds, water sports of all sorts, sunrises, sunsets, starry nights, fireworks on the 4th, snowmobiling, ice skating, and anything else you can think of.... we utilize it to the absolute fullest! We would be absolutely devastated if harm came to our lake due to a misplaced landfill. And even though my immediate and extended family's roots are so deeply sewn into Forest Lake I'm not sure we would feel safe keeping a camp there and letting our children use the water in any way, if the landfill was indeed allowed. Please consider all of the families who either live there full time or even part time plus all of the people that frequent the park. Please consider the environmental impact this will make on the area and surrounding area! Please take into consideration how much a landfill can impact a surrounding environment especially when located that close to a significantly sized body of water. We want a safe environment that provides healthy homes and endless healthy activities for our children, and for generations to come, to grow up in. Thank you for your understanding and your time spent working on this issue!

Sent from my U.S.Cellular© Smartphone

Archived: Thursday, April 15, 2021 10:18:58 AM
From: [Ray Schwartz](#)
Sent: Tuesday, February 2, 2021 9:12:55 PM
To: [~House Environment and Agriculture Committee](#)
Subject: HB250 Pet Vendor definition revision
Importance: Normal

Greetings,

I would like to propose another change to the definition of a pet vendor in addition to the proposed increase in the number of dogs transferred in a year before one is considered a pet vendor.

I would like to suggest that the number of small pet birds (budgies, canaries, finches, etc.) transferred in a year be increased from 50 to 100 before the breeder is considered a pet vendor. These birds sell for very low prices sometimes \$10 or less and often are used to introduce children to pet care. The current legislation discourages hobbyists from selling their baby birds and has driven the breeders I know to sell their breeding stock to people in MA and RI. I am okay with leaving the number of large birds (parrots) at 50.

Thank you for your consideration,
Raymond Schwartz
19 Olde Common Drive
Atkinson, NH 03811

Birds of A Feather Avicultural Society past president
American Federation of Aviculture NH state representative

Archived: Thursday, April 15, 2021 10:18:58 AM

From: Arthur Duguay

Sent: Tuesday, February 2, 2021 7:51:20 PM

To: ~House Environment and Agriculture Committee

Subject: NH House Remote Testify: 9:00 am - HB250 in House Environment and Agriculture

Importance: Normal

My name is Arthur Duguay. I am a full time resident at 668 West Side Road in Whitefield , NH which is on the West side of Forest Lake. My wife and I have lived here full time since 2003. We purchase this property in 1987 from my aunt who had owned it with a friend since 1957 or 1958. It has been in our family for over 60 years. In 2000 we erected a small log home replacing the original structure which dated back to the early 1900.

I am extremely concerned that an out state corporation is attempting to seek approval to construct a solid waste landfill within several hundred feet of Forest Lake State Park. A landfill within several hundred feet of any state park places the intended preservation of the property at risk. A landfill placed as close as the one proposed will most likely put the water quality of Forest Lake in jeopardy as well as devalue property on the lake and impact the municipalities accessed values.

Regards,
Arthur Duguay

Sent from my iPhone

Archived: Thursday, April 15, 2021 10:18:59 AM

From: [George Cook](#)

Sent: Tuesday, February 2, 2021 3:55:56 PM

To: [~House Environment and Agriculture Committee](#)

Subject: NH House Remote Testify: 9:00 am - HB250 in House Environment and Agriculture

Importance: Normal

I am writing in support of the new provisions of HB250 to increase the defining quantity for pet vendor licensure. The drastic reduction in numbers passed by the legislature last year in removing the commercial kennel definition were severe, and the new proposed number of 35 dogs and 50 cats is a more realistic number to quantify the difference between a hobby operation and a commercial operation. This is also significant in the realm of operation of shelters and rescues as they are classified as pet vendors as well under the new rules.

Converting the licensure provisions to a calendar year basis is probably a good simplification. I am a bit confused by the exemption provisions provided in Section II.(a). Subsections (1) and (2) are a bit redundant. If a person has transferred more than 25 dogs or 25 cats in a one year period they would have been required to register as a pet vendor under current statute, so therefore section (1) is illogical. There is also the possibility that transfers recorded on the currently required time period of July 1 and June 30 may not tabulate the same way when using the time period of January 1 to December 31. Furthermore, if a person is going to apply for an exemption because they realize their transfers may exceed the statutory limit, is this a fair application of the law comparing an exemption request received in January versus an exemption request received in December if the exemption expires on December 31 of the year? Especially since subsection (c) provides an additional benefit of 15 dogs or 15 cats allowed to be transferred within the time frame of the exemption.

In conclusion, while I support HB250, I believe it would be prudent for the Committee to retain this bill for further discussion

Respectfully submitted,

George Cook

Jefferson, NH

Sent from [Mail](#) for Windows 10

Archived: Thursday, April 15, 2021 10:18:59 AM
From: [Kerry Rodgers](#)
Sent: Tuesday, February 2, 2021 10:06:31 AM
To: [~House Environment and Agriculture Committee](#)
Subject: Hb 250, 249 and HB366
Importance: Normal

I support the bills HB250 to increase the number of dogs you could transfer from 25 to 30. I also support the HB 249 in regards to notifying owners of their dogs being held (checking microchips within 72 hours of being taken) and also the HB 366 to check for mental illness on hoarding cases.
thank you

Kerry Rodgers
Derry, NH
(603)548-5621

-Kerry
kerry@rodgersworld.com



Testimony By: Joanne Bourbeau, Northeast Regional Director, The Humane Society of the United States

Presented To: The NH House Committee on Environment & Agriculture

In Opposition To: House Bill 250: Relative to Pet Vendors

Date: February 3, 2021

Dear Chairman Pearl and Members of the Committee,

On behalf of The Humane Society of the United States (the HSUS) and our New Hampshire supporters, we submit these comments in opposition to House Bill 250, which seeks to change the threshold for which an animal shelter, rescue organization, pet store or breeder must reach to trigger an annual pet vendor license by the New Hampshire Department of Agriculture, Markets & Food (DAMF). Under current law, a pet vendor is one that transfers 25 or more dogs in a year and HB 250 seeks to increase this to 35 dogs.

For many years, animal shelters, rescues and pet stores in the Granite State have been required to be licensed and inspected by DAMF if they were “in the business of transferring animals”, however, prior to an update in the state law in 2020, commercial breeders only met this requirement if they sold ten litters or 50 puppies in a year, making New Hampshire’s law weaker than every surrounding state. This lack of state oversight in part led to New Hampshire becoming a safe haven for unscrupulous breeders, which led to a slew of cruelty cases including two defendants who moved to the Granite State to operate without regulations here.

In one such case in June of 2017, The Humane Society of the United States, at the request of law enforcement, assisted with the rescue of 84 Great Danes from an unlicensed breeder in Wolfeboro. The defendant was found guilty of animal cruelty by the Ossipee District Court in November of 2017 and again, by a jury of her peers, in Carroll County Superior Court in spring of 2018. Her conviction was affirmed by the New Hampshire Supreme Court in December of 2020. While the dogs were ultimately placed in loving homes, they were required to be held for over 15 months while the criminal case made its way through the judicial process, a pattern not unique to cruelty cases in the Granite State which can be prolonged for nine months to three years while taxpayers and non-profit organizations foot the bill for their care.

Because of this case and others, the 2019 legislature updated the pet vendor law to ensure that all entities that transferred 25 or more dogs in a year received some state oversight in an effort to identify problematic situations before they became costly and tragic criminal investigations. The string of cruelty cases involving unlicensed breeders came with significant disease risks to both dogs and humans, exposed hundreds of dogs to cruelty and neglect and cumulatively cost taxpayers and non-profit organizations over \$3 million to care for the animals.

Prior to the change in law, DAMF licensed approximately 194 pet vendors, of which only seven were breeders. The vast majority of licensees were home-based rescue organizations and pet stores as well as the twelve animal shelters that provide municipal services to New Hampshire communities such as the holding of stray or dangerous dogs and the long-term care of animals seized by law enforcement when requested to do so. Under

the updated RSA 437, 167 entities are now licensed of which 13 are commercial breeders. We recognize that upgraded technology, including a database in which DAMF can properly track pet vendors, is critical to enforcement of this law and while we oppose preventing access to such a database by law enforcement, we support the legislature approving resources for this important tracking system.

The legislature was clear in its response to the string of cruelty cases between 2016 and 2019 when it set the threshold at 25 dogs transferred per year. This number was the result of many hours of negotiations and comparisons to other states. The updated law has been in effect for less than a year and we oppose efforts to change it so quickly without compelling evidence as to why this change is needed. For this reason, we oppose House Bill 250.

Sincerely,

A handwritten signature in black ink that reads "Joanne Bourbeau". Below the signature, there is a small, faint logo for The Humane Society of the United States.

Joanne Bourbeau
Northeast Regional Director
The Humane Society of the United States
301-529-3378
jboubeau@humanesociety.org



AMERICAN
KENNEL CLUBSM

Stacey Ober, J.D.
Legislative Analyst
Community Outreach
New England Region

February 3, 2021

The Honorable Howard Pearl, Chairman
New Hampshire House Committee on Environment and Agriculture
LOB Room 303, 33 North State Street
Concord, New Hampshire 03301

RE: American Kennel Club Supports HB 250 Relative to Pet Vendors.

Dear Chairman Pearl and Members of the House Committee on Environment and Agriculture:

Founded in 1884, the American Kennel Club (AKC) is a recognized and trusted expert in canine health, breeding, and training. We represent over 5,100 dog clubs nationally, including 22 in New Hampshire, which represent thousands of dog owners. AKC advocates 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.

Last year, HB 1630, relative to the definition of “Pet Vendor”, was favorably released by this committee and the House of Representatives voted ought to pass before the pandemic cut short the 2020 legislative session. We are grateful that Chairman Pearl has re-filed the legislation to set a reasonable limit on the number of dogs and cats that may be transferred without a license and create an exemption from the requirement to obtain a pet vendor license for certain breeders of dogs and cats. This clarification is necessary to ensure that New Hampshire breeders who were not previously required to obtain a state license can continue to own and personally enjoy their dogs without needing to petition local authorities to grant a municipal permit required by the state pet vendor license application. This license application process has resulted in the violation of due process for responsible dog breeders who have been unable - after the transfer limits in 2019 were cut in half - to obtain a municipal permit and therefore comply with the state application requirements.

For these reasons, we support HB 250 and encourage its passage. Please know that the American Kennel Club and our affiliated dog clubs are interested in working with you to make this change this session. I can be reached at (919) 816-3348 or Stacey.Ober@akc.org.

Sincerely,

Stacey Ober, JD
Legislative Analyst and Community Outreach Coordinator, New England
AKC Government Relations

CC: Angela Ferrari, Dog Owners of the Granite State (DOGS)

Bill as
Introduced

HB 250 - AS AMENDED BY THE HOUSE

7Apr2021... 0350h

2021 SESSION

21-0297

08/10

HOUSE BILL **250**

AN ACT relative to pet vendors.

SPONSORS: Rep. Pearl, Merr. 26; Rep. Abramson, Rock. 37; Rep. Lang, Belk. 4; Rep. Kennedy, Merr. 7; Rep. G. Griffin, Hills. 5; Rep. Moffett, Merr. 9

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill sets the limit of dogs, cats, and ferrets that may be transferred without a pet vendor license. This bill also creates an exemption from the requirement to obtain a pet vendor license for certain breeders of dogs and cats.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to pet vendors.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Pet Vendor; Definition. Amend RSA 437:1, IV to read as follows:

2 IV. "Pet vendor" means any person, firm, corporation, or other entity that transfers [25] 30
3 or more dogs, [25] 35 or more cats, 30 or more ferrets, or 50 or more birds, live animals or birds
4 customarily used as household pets to the public, with or without a fee or donation required, and
5 whether or not a physical facility is owned by the licensee in New Hampshire, when transfer to the
6 final owner occurs within New Hampshire, between [July 1 and June 30] **January 1 and December**
7 **31** of each year. Pet vendor also means any person, firm, corporation, or other entity that transfers
8 amphibians, reptiles, fish, or small mammals customarily used as household pets to the public in
9 quantities set in rules adopted by the department, with or without a fee or donation required, and
10 whether or not a physical facility is owned by the licensee in New Hampshire between [July 1 and
11 June 30] **January 1 and December 31** of each year. Nothing in this paragraph shall be construed
12 to alter or affect the municipal zoning regulations that a pet vendor shall conform with under RSA
13 437:3.

14 2 Exemptions; Commercial Kennel Deleted. Amend RSA 437:7 to read as follows:

15 437:7 Exceptions.

16 **I.** The license provisions of this subdivision shall not apply to breeders of dogs or cats that
17 do not meet the definition of pet vendor in RSA 437:1, veterinarians, or the transfer of livestock or
18 poultry.

19 **II.(a)** *A person who has previously not met the requirements for licensure as a pet*
20 *vendor but who intends to transfer more than 30 dogs or 35 cats in a year may apply to the*
21 *commissioner for an exemption from licensure as a pet vendor if he or she meets the*
22 *following criteria:*

23 (1) *The person has transferred fewer than 30 dogs or 35 cats annually in the*
24 *previous 4 12-month periods beginning January 1 and running through the following*
25 *December 31; and*

26 (2) *The person has not been required to register as a pet vendor in the*
27 *previous 4 12-month periods beginning January 1 and running through the following*
28 *December 31.*

29 (b) *The commissioner shall make a determination on such exemption within 15*
30 *days of its submission. Such exemption shall expire on the June 30 following its issuance.*

1 (c) *A person exempt from licensure as a pet vendor under this paragraph may*
2 *transfer no more than 15 dogs or 15 cats in addition to the 30 dog or 35 cat limit in*
3 *subparagraph (a) within the period his or her exemption is valid.*

4 3 Requirements for Sale of Animals. Amend the introductory paragraph of RSA 437:3 to read as
5 follows:

6 No pet vendor shall transfer animals or birds without a license. A pet vendor shall apply to the
7 commissioner for a license, giving such information as the commissioner shall require. [~~The~~
8 ~~application~~] *A pet vendor that transfers more than 50 or more dogs, 50 or more cats, 50 or*
9 *more ferrets, or 50 or more birds* shall include proof that the zoning enforcement official of the
10 municipality wherein any facility is to be maintained has certified that the facility conforms to the
11 municipal zoning regulations *in his or her application*. The application shall be accompanied by a
12 non-refundable \$200 fee. All licenses shall expire on June 30 of each year and be subject to renewal
13 upon submission of a new application. No licenses shall be transferable. A pet vendor licensed
14 under this subdivision shall:

15 4 Effective Date. This act shall take effect upon its passage.