

# 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

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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.

HB 250 - AS AMENDED BY THE SENATE

7Apr2021... 0350h  
05/13/2021 1290s

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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 30 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 30 cats annually in the*  
24 *previous 4 12-month periods beginning January 1 and running through the following*  
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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 30 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  
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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 Transfer of Animals; Suspensions. Amend RSA 437:4 to read as follows:

16           437:4 Refusal to Issue; Revocation *or Suspension* of License. The commissioner, after notice to  
17 the licensee and opportunity for hearing, as set forth in the rules adopted under RSA 437:9, may  
18 deny an application, *or suspend* or revoke a license for any of the following reasons:

19           I. The applicant or licensee violated the statutes of the state of New Hampshire or of the  
20 United States or any rule adopted by the commissioner pursuant to this chapter;

21           II. The applicant made false or misleading statements in his or her application for a license;

22           III. The licensee knowingly transferred any animal affected with a communicable disease  
23 except as allowed under RSA 437:5 and RSA 437:8, II;

24           IV. The licensee ceased to operate the business for which the license was issued; or

25           V. The applicant or licensee held any similar license issued in another jurisdiction which  
26 was revoked or suspended by that jurisdiction as a result of engaging in conduct prohibited by RSA  
27 437 during the preceding 5 years.

28           5 Effective Date. This act shall take effect upon its passage.

CHAPTER 215  
HB 250 - FINAL VERSION

7Apr2021... 0350h  
05/13/2021 1290s

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CHAPTER 215  
HB 250 - FINAL VERSION

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to pet vendors.

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1 215:1 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] 30 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**  
7 **December 31** of each year. Pet vendor also means any person, firm, corporation, or other entity that  
8 transfers amphibians, reptiles, fish, or small mammals customarily used as household pets to the  
9 public in quantities set in rules adopted by the department, with or without a fee or donation  
10 required, and whether or not a physical facility is owned by the licensee in New Hampshire between  
11 [~~July 1 and June 30~~] **January 1 and December 31** of each year. Nothing in this paragraph shall be  
12 construed to alter or affect the municipal zoning regulations that a pet vendor shall conform with  
13 under RSA 437:3.

14 215:2 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 30 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 30 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.*

CHAPTER 215  
HB 250 - FINAL VERSION  
- Page 2 -

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

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

6           215:3 Requirements for Sale of Animals. Amend the introductory paragraph of RSA 437:3 to  
7 read as follows:

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

17           215:4 Transfer of Animals; Suspensions. Amend RSA 437:4 to read as follows:

18           437:4 Refusal to Issue; Revocation **or Suspension** of License. The commissioner, after notice to  
19 the licensee and opportunity for hearing, as set forth in the rules adopted under RSA 437:9, may  
20 deny an application, **or suspend** or revoke a license for any of the following reasons:

21           I. The applicant or licensee violated the statutes of the state of New Hampshire or of the  
22 United States or any rule adopted by the commissioner pursuant to this chapter;

23           II. The applicant made false or misleading statements in his or her application for a license;

24           III. The licensee knowingly transferred any animal affected with a communicable disease  
25 except as allowed under RSA 437:5 and RSA 437:8, II;

26           IV. The licensee ceased to operate the business for which the license was issued; or

27           V. The applicant or licensee held any similar license issued in another jurisdiction which  
28 was revoked or suspended by that jurisdiction as a result of engaging in conduct prohibited by RSA  
29 437 during the preceding 5 years.

          215:5 Effective Date. This act shall take effect upon its passage.

Approved: August 17, 2021  
Effective Date: August 17, 2021

# Amendments

Rep. Pearl, Merr. 26  
Sen. Bradley, Dist 3  
April 27, 2021  
2021-1221h  
12/10

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]~~ **30** 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  
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16 2 Exemptions; Commercial Kennel Deleted. Amend RSA 437:7 to read as follows:

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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 30 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:*

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26 *previous 4 12-month periods beginning January 1 and running through the following*  
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1           **(b) The commissioner shall make a determination on such exemption within 15**  
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3           **(c) A person exempt from licensure as a pet vendor under this paragraph may**  
4 **transfer no more than 15 dogs or 15 cats in addition to the 30 dog or 30 cat limit in**  
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20 deny an application, **or suspend** or revoke a license for any of the following reasons:

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22 United States or any rule adopted by the commissioner pursuant to this chapter;

23           II. The applicant made false or misleading statements in his or her application for a license;

24           III. The licensee knowingly transferred any animal affected with a communicable disease  
25 except as allowed under RSA 437:5 and RSA 437:8, II;

26           IV. The licensee ceased to operate the business for which the license was issued; or

27           V. The applicant or licensee held any similar license issued in another jurisdiction which  
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2021-1221h

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**Amendment to HB 250**

**- Page 3 -**

2021-1290s

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# Committee Minutes

# SENATE CALENDAR NOTICE

## Energy and Natural Resources

Sen Kevin Avard, Chair  
Sen Bob Giuda, Vice Chair  
Sen James Gray, Member  
Sen David Watters, Member  
Sen Rebecca Perkins Kwoka, Member

Date: April 15, 2021

### HEARINGS

Monday	04/19/2021	
(Day)	(Date)	
Energy and Natural Resources	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m. <b>HB 199</b>	including soil health and soil conservation in the state soil conservation plan.	
1:10 p.m. <b>HB 249</b>	relative to animal shelter facilities.	
1:20 p.m. <b>HB 250</b>	relative to pet vendors.	
1:30 p.m. <b>HB 338-FN</b>	relative to penalties for dog theft and tampering with a dog's radio collar.	
2:30 p.m.	Presentation by Matthew Mailloux of the Governor's Office on the Department of Energy	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/92312108551>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +19292056099,,92312108551# or +13017158592,,92312108551#
4. Webinar ID: [923 1210 8551](https://www.zoom.us/j/92312108551)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [remotesenate@leg.state.nh.us](mailto:remotesenate@leg.state.nh.us) or call (603-271-6931).

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 199**

Rep. Bixby

**HB 249**

Rep. Pearl

**HB 250**

Rep. Pearl

Rep. G. Griffin

**HB 338-FN**

Rep. Sullivan

Rep. Lang

Rep. Abramson

Rep. Moffett

Rep. Rollins

Rep. Moffett

Rep. Lang

Rep. Goley

Rep. Kennedy

Rep. Comtois

Griffin Roberge 271-3042

Kevin A. Avard  
Chairman

**Senate Energy and Natural Resources Committee**  
*Griffin Roberge 271-3042*

**HB 250**, relative to pet vendors.

**Hearing Date:** April 19, 2021.

**Time Opened:** 1:40 p.m.

**Time Closed:** 2:07 p.m.

**Members of the Committee Present:** Senators Avard, Gray, Watters and Perkins Kwoka.

**Members of the Committee Absent:** Senator Giuda.

**Bill 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.

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**Sponsors:**

Rep. Pearl

Rep. Abramson

Rep. Lang

Rep. Kennedy

Rep. G. Griffin

Rep. Moffett

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**Who supports the bill:** Representative Peter Bixby, Strafford - District 17; Barb Burri; Kate Champney; Christine Cote; Gail Damasi; Karen Dewey; Cynthia Eliason; Joan Eversole; Angela Ferrari, Dog Owners of the Granite State; Marla Fields; Nancy Holmes, New Boston, NH; Holly Lewis; Ara Lynn; Marlene Moore; Lana Nickerson; Stacey Ober, American Kennel Club; Gail Paludi; Representative Howard Pearl, Merrimack - District 26; Diane Richardson, Springfield, NH; Kalla Robb; Michael Robb; Patty Robb; Erick Sawtelle, Lee, NH; Raymond Schwartz; Sheryl Skidmore; Emily St. Hilaire; Susan Willumsen; Ellen Yenawine; Joseph Zalewski.

**Who opposes the bill:** Gina Scrofano, Salem, NH.

**Who is neutral on the bill:** Kurt Ehrenburg, Humane Society of the United States.

**Summary of testimony presented in support:**

*Representative Howard Pearl*

*Merrimack - District 26*

- HB 4-FN-A-LOCAL (2019) made changes to the definition of pet vendor under RSA 437:1, IV. This change defined a pet vendor as any person, firm corporation, or other entity that transfers 25 or more dogs, 25 or more cats, 30 or more ferrets, or 50 or more birds between July 1 and June 30 of each year. HB 4-FN-LOCAL's changes affected many hobby breeders that had never been deemed a pet vendor before and were subject to additional regulations. HB 250 seeks to address some of these problems.
- Section 1 changes the transfer thresholds under the pet vendor definition, raising the transfer limit for dogs from 25 to 30 and for cats from 25 to 35. The registration period for pet vendors is changed to between January 1 and December 31 of each year. This change in the registration period was made at the request of the NH Department of Agriculture, Markets, and Food (DAMF).
- Section 2 creates an exemption process for those who had never previously been a pet vendor. Some hobby breeders may have a litter of dogs that unintentionally brings them over the transfer threshold. These

breeders may not be able to meet the requirements of being a pet vendor right away. These changes were made with input from DAMF.

- Section 2 allows a person who has not previously met the requirements for licensure as a pet vendor but who intends to transfer more than 30 dogs or 35 cats in a year to apply to the DAMF Commissioner for an exemption from licensure as a pet vendor as long as that person meets several criteria:
  - The person has transferred fewer than 30 dogs or 35 cats annually in the previous four years.
  - The person has not been required to register as a pet vendor in the previous four years.
- Section 2 requires the DAMF Commissioner to make a determination on an exemption within 15 days of its submission. Any person exempt from licensure as a pet vendor may transfer no more than 15 dogs or 15 cats in addition to the 30 dog or 35 cat limits.
- Section 3 makes clarifications of the zoning requirements for a pet vendor. Under HB 4-FN-A-LOCAL, the NH General Court made it clear it did not want new pet vendors to have to get permission from municipal zoning officials to operate as some new pet vendors have very small operations. Since HB 4-FN-A-LOCAL's passage, some municipal officials still required site/planning reviews of pet vendors. Section 3 clarifies that when a pet vendor applies for a license from the DAMF, a pet vendor that transfers more than 50 or more dogs, 50 or more cats, 50 or more ferrets, or 50 or more birds shall include proof on his or her application that the zoning enforcement official of the municipality where the facility is to be maintained has certified that the facility conforms to the municipal zoning regulations.
- HB 250 seeks to bring animal interest groups together and find common ground. Representative Pearl said he has been working closely with Senator Jeb Bradley on HB 250. Those discussions may conclude that the 35 cat transfer limit in Section 1 should be reduced to 30 cats, but the discussions are ongoing.
- Senator Watters wanted to clarify whether HB 250 was good to go or whether the committee should consult with Senator Bradley on the cat transfer limit under Section 1.
  - Representative Pearl said it was his understanding that Senator Bradley would like to see the cat transfer limit reduced from 35 to 30. Representative Pearl said he would not oppose such a change.
- Senator Watters wondered whether the DAMF should undertake administrative rulemaking as HB 250 gives the DAMF Commissioner the ability to exempt people from being a pet vendor.
  - Representative Pearl said it was his understanding that DAMF Commissioner Shawn Jasper was comfortable with HB 250's language and no further clarifications were needed in the exemption process.

*Stacey Ober – provided written testimony*

*Legislative Analyst and Community Outreach Coordinator, American Kennel Club*

- HB 250 is a reintroduction of HB 1630-FN (2020). The House Environment and Agriculture Committee recommended HB 1630-FN "ought to pass with amendment" by a vote of 19-1. The bill was placed on the House consent calendar. The full House adopted the committee's recommendation on a voice vote. However, HB 1630-FN was tabled in the Senate due to the COVID-19 pandemic and the suspension of legislative activity.
- HB 250 is necessary to ensure that NH's breeders who were not previously required to obtain a pet vendor license can continue to own and 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.
- Senator Avard asked if the American Kennel Club had any concerns with changing the transfer limit for cats from 35 to 30.
  - Ms. Ober said the American Kennel Club did not represent cat owners. However, a litter of puppies can produce anywhere from 1 to 12 puppies. Some breeders could very quickly go over the 25 dog transfer limit.

*Angela Ferrari*

*Dog Owners of the Granite State*

- HB 4-FN-A-LOCAL's changes to the pet vendor definition were significant. Three litters in one year can easily put someone into the pet vendor category, unleashing a significant escalation in regulation. HB 250's slight increase in the transfer limit in Section 1 can ease up the tight restrictions.
- Section 2 gives the DAMF Commissioner the ability to grant an exemption for someone who may have an extra litter in a year. This review provides a level of oversight. That person must also meet certain criteria before an exemption is offered.

- Section 3 amends the municipal zoning requirements for pet vendors and will help small breeders. Many, if not all, of the Dog Owners of the Granite State members raise their dogs in their homes – this environment helps socialize dogs and makes them better to pair with families. Many could not get their zoning requests approved by their town because the term 'pet vendor' gave the impression that a small breeder was becoming a commercial entity.

*Representative Peter Bixby*

*Strafford – District 16*

- HB 250 is a minor change to assist hobby breeders who may inadvertently go over the transfer threshold established in RSA 437:1, IV.
- Making significant changes to NH's animal welfare laws should be done when there is more data to reinforce the need for those changes. That data will be available when DAMF establishes an animal records database via HB 2-FN-A-LOCAL (2021).

### **Summary of testimony presented in opposition:**

*Gina Scrofano*

*Salem, NH*

- The pet vendor definition before HB 4-FN-A-LOCAL only led to 5-8 entities being licensed out of the thousands of entities operating in NH. The definition was unworkable and failed to provide adequate oversight, leading to six notable animal cruelty cases involving unlicensed breeders over the course of two and a half years. These cases impacted nearly 300 animals, spread zoonotic diseases, and cost NH taxpayers some \$3.5 million in cost of care expenses through donations or general funds.
- NH's current transfer threshold of 25 dogs per year barely puts NH in line with other states. Increasing the transfer threshold under the pet vendor definition increases the potential for abusive breeders to operate in NH.
- The exemption language in Section 2 creates a loophole. Recommended language be inserted in Section 2 that clearly states that the exempted year shall not be included in the required four previous years that the person was not required to have a pet vendor license. Additionally, Section 2 should make clear that no person shall receive an exemption for two or more consecutive years.
- HB 250 could potentially grant an exemption to pet vendors who have not been inspected for years. DAMF would have no way to inspect the living conditions of animals or to ensure that pet vendors are complying with regulations before granting the exemption. Section 2 should include a requirement for an inspection within the past twelve months before an exemption is granted.
- While not objecting to Section 3, the notion that pet vendor licensure imposes a hardship on breeders due to inspections of private homes and that regulations are burdensome is unjustifiable.

### **Neutral Information Presented:**

*Kurt Ehrenburg*

*NH State Director, Humane Society of the United States*

- The Humane Society of the United States was initially opposed to HB 250. However, the Humane Society of the United States is neutral on the bill as the different parties continue to find a compromise.
- HB 4-FN-A-LOCAL's changes were the result of a series of animal cruelty cases that arose in NH. Those changes have been in place for less than a year. The Humane Society of the United States believes the transfer limits created under HB 4-FN-A-LOCAL were correct.

GJR

Date Hearing Report completed: April 19, 2021.

# Speakers



## Senate Remote Testify

### Energy and Natural Resources Committee Testify List for Bill HB250 on 2021-04-19

Support: 30    Oppose: 1    Neutral: 1    Total to Testify: 5

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Bixby, Peter	peter.bixby@leg.state.nh.us	16037495659	An Elected Official	Myself	Support	No	4/19/2021 8:25 AM
burri, barb	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/17/2021 6:06 PM
Champney, Kate	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 9:13 AM
Cote, Christine	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/15/2021 9:59 PM
Demasi, Gail	gaildemasi@live.com	16038473108	A Member of the Public	Myself	Support	No	4/16/2021 3:32 PM
Dewey, Karen	pkdewey@comcast.net	603.504.2813	A Member of the Public	Myself	Support	No	4/15/2021 5:03 PM
Ehrenberg, Kurt	kehrenberg@humanesociety.org	603.312.5988	A Lobbyist	Humane Society of the United States	Neutral	Yes	4/19/2021 9:43 AM
Eliason, Cynthia	cyne@cherrymountaintennel.com	603.837.2448	A Member of the Public	Myself	Support	No	4/16/2021 7:38 PM
Eversole, DMD, Joan	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/18/2021 4:30 PM
Farley, K	klindobes@comcast.net	000.000.0000	A Member of the Public	Myself	Support	No	4/16/2021 9:40 AM
Ferrari, Angela	angelaFerrari84@gmail.com	603.769.0439	A Member of the Public	Dog Owners of the Granite State	Support	Yes	4/16/2021 12:48 PM
Fields, Marla	k9queen@metrocast.net	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 2:04 PM
Holmes, Nancy	fmkaffen@ix.netcom.com	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 12:58 PM
Lewis, Holly	holly.lewis603@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 9:48 AM
Lynn, Ara	Not Given	603-878-3552	A Member of the Public	Myself	Support	No	4/16/2021 1:45 PM
Moore, Marlene	marlene_moore@myfairpoint.net	16034909582	A Member of the Public	Myself	Support	No	4/17/2021 11:53 AM
Nickerson, Lana	fossmtfarm@msn.com	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 9:36 PM
Ober, Stacey	Stacey.Ober@akc.org	919.816.3348	A Lobbyist	The American Kennel Club	Support	Yes	4/15/2021 1:52 PM
Paludi, Gail	Not Given	16034951291	A Member of the Public	Myself	Support	No	4/16/2021 3:45 PM
Pearl, Howard	Howard.pearl@leg.state.nh.us	603.231.1482	An Elected Official	Prime sponsor	Support	Yes	4/18/2021 6:05 PM
Richardson, Diane	Workingclasscanine@msn.com	603.558.9042	A Member of the Public	Myself	Support	No	4/19/2021 9:04 AM
robb, Kalla	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 4:27 PM
Robb, Michael	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 4:51 PM
robb, patty	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 4:28 PM
SAWTELLE, ERICK	esawtelles@aol.com	603.234.7907	A Member of the Public	Myself	Support	No	4/16/2021 7:47 AM
Schwartz, Raymond	Prismsdad@aol.com	603.362.6106	A Member of the Public	Myself	Support	No	4/18/2021 7:55 AM
Scrofano, Gina	GScrofano@live.com	Not Given	A Member of the Public	Myself	Oppose	Yes	4/19/2021 12:10 PM
Skidmore, Sheryl	swskidmore@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 1:04 PM

St Hilaire, Emily	Leashlady1@aol.com	603 533 1468	A Member of the Public	Myself	Support	No	4/15/2021 5:52 PM
Willumsen, Susan	willcare@comcast.net	603.475.1588	A Member of the Public	Myself	Support	No	4/15/2021 5:45 PM
Yenawine, Ellen	ellenyenawine@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/16/2021 12:27 PM
Zalewski, Joseph	joejustz@yahoo.com	925-209-8176	A Member of the Public	Myself	Support	No	4/16/2021 9:40 AM

# Testimony

## Griffin Roberge

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**From:** Stacey Ober <Stacey.Ober@akc.org>  
**Sent:** Monday, April 19, 2021 9:25 AM  
**To:** Kevin Avard; Bob Giuda; James Gray; David Watters; Rebecca Perkins Kwoka; Griffin Roberge  
**Cc:** Angela Ferrari; Howard Pearl; Brian Sullivan  
**Subject:** Support for H.249 H.250 and H.338  
**Attachments:** Testimony HB 249 Animal Shelters 4.19.21 Senate Committee.pdf; Testimony HB 250 Pet Vendors 4-19-21 Senate Committee.pdf; Testimony HB 338 Theft of Dog or Removing Collar 4-19-21 Senate Committee.pdf

Good morning, Chair Avard and Committee Members:

Attached please find letters of support for three bills before your committee this afternoon.

Best,

**Stacey Ober, J.D.**  
Legislative Analyst & Community Outreach, New England Region  
Government Relations



**AMERICAN  
KENNEL CLUB**

t: 919-816-3348 | e: [stacey.ober@akc.org](mailto: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](http://www.akcchf.org)*



AMERICAN  
KENNEL CLUB<sup>SM</sup>

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

April 19, 2021

The Honorable Kevin Avard, Chairman  
New Hampshire Senate Committee on Energy and Natural Resources  
107 North Main Street  
Concord, New Hampshire 03303

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

Dear Chairman Avard and Members of the Senate Committee on Energy and Natural Resources:

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 the House Environment and Agriculture 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](mailto: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)

Founded in 1884; a not-for-profit corporation

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8051 Arco Corporate Drive Raleigh, NC 27617 Tel 919-816-3600 [www.akc.org](http://www.akc.org)

# Voting Sheets

# Senate Energy & Natural Resources Committee

## EXECUTIVE SESSION RECORD

### 2021-2022 Session

Bill # *HB 250*

Hearing Date: 04/19/2021

Executive Session Date: 05/03/2021

Motion of: Amendment 1221h Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ayard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPA Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ayard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Ayard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Ayard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Perkins Kwoka

Notes: \_\_\_\_\_

# Committee Report





**ENERGY AND NATURAL RESOURCES**

**HB 250**, relative to pet vendors.

Ought to Pass with Amendment, Vote 4-0.

Senator Rebecca Perkins Kwoka for the committee.

**Docket of HB250****Bill Title:** relative to pet vendors.*Official Docket of HB250.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/9/2021	H	<b>Introduced</b> (in recess of) 01/06/2021 and referred to Environment and Agriculture <b>HJ 2</b> P. 40
1/26/2021	H	Public Hearing: 02/03/2021 09:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/95965527325">https://www.zoom.us/j/95965527325</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/18/2021	H	Committee Report: Ought to Pass with Amendment <b>#2021-0350h</b> (Vote 18-1; CC) <b>HC 18</b> P. 10
4/7/2021	H	Amendment <b>#2021-0350h</b> : AA VV 04/07/2021 <b>HJ 5</b> P. 17
4/7/2021	H	<b>Ought to Pass with Amendment</b> 2021-0350h: MA VV 04/07/2021 <b>HJ 5</b> P. 17
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 <b>HJ 5</b> P. 50
4/7/2021	S	Introduced 04/01/2021 and Referred to Energy and Natural Resources; <b>SJ 11</b>
4/19/2021	S	Remote <b>Hearing</b> : 04/19/2021, 01:20 pm; Links to join the hearing can be found in the Senate Calendar; <b>SC 20</b>
5/4/2021	S	Committee Report: Ought to Pass with Amendment <b>#2021-1290s</b> , 05/13/2021; <b>SC 23</b>
5/13/2021	S	Committee Amendment <b>#2021-1290s</b> , AA, VV; 05/13/2021; <b>SJ 15</b>
5/13/2021	S	<b>Ought to Pass with Amendment</b> 2021-1290s, MA, VV; OT3rdg; 05/13/2021; <b>SJ 15</b>
6/10/2021	H	House Concurs with Senate Amendment 2021-1290s (Rep. Pearl): MA VV 06/10/2021 <b>HJ 10</b> P. 10
7/12/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); <b>SJ 20</b>
7/12/2021	H	Enrolled (in recess of) 06/24/2021
8/17/2021	H	Signed by Governor Sununu 08/17/2021; Chapter 215; Eff: 08/17/2021

# Other Referrals

# Senate Inventory Checklist for Archives

Bill Number: HB 250

Senate Committee: ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

### Bill Hearing Documents: (Legislative Aides)

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

### Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

- amendment # 1221h      \_\_\_\_\_ - amendment # \_\_\_\_\_

- amendment # 12905      \_\_\_\_\_ - amendment # \_\_\_\_\_

Executive Session Sheet

Committee Report

### Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_

\_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_

### Post Floor Action: (if applicable) (Clerk's Office)

\_\_\_\_\_ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

\_\_\_\_\_ Enrolled Bill Amendment(s)

\_\_\_\_\_ Governor's Veto Message

### All available versions of the bill: (Clerk's Office)

as amended by the senate      \_\_\_\_\_ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

\_\_\_\_\_  
Committee Aide

\_\_\_\_\_  
Date

Senate Clerk's Office AK