

March 19, 2019

Representative Jeff Barker and  
Chair House Committee on Business and Labor  
Oregon State Legislature  
900 Court St. NE  
Salem, OR 97301

Dear Chair Barker and Members of the Committee:

Senate bill 6 (2013) was passed as an **emergency** law [July 2013](#). The first section increased the penalty for neglect to a felony level if more than ten animals were the subject of the neglect. The second section (10) requires all counties to establish a licensing registry to include inspection for all rescues and shelters soliciting donations if caring for over nine animals. **After five and a half years, few counties and even fewer rescues/shelters are compliant to this law.** I would guesstimate less than five percent compliance with rescues/shelters organizations.

SB 6 was passed with great exuberance by a large percentage of our legislators yet there has been little follow up to insure compliance. Why is this important to this bill? Currently "puppymills" cannot sell to pet stores. Only USDA licensed facilities can sell through a broker or store. Unlicensed breeders must sell direct to the consumer so this bill would not affect its intended target. While there are many documented examples of problems with unregulated rescues as demonstrated, prompting SB6, I have found no reported neglect cases involving a USDA licensed breeder. This bill would forbid USDA regulated breeders from selling to stores while allowing unregulated rescues/shelters, many in violation of SB6 and other state and federal laws, to sell exclusively.

If animal protection is the intended goal, **shouldn't all animal entities be held to minimum care standards?** In moving forward, I would like to suggest a change to include the requirement for any entity selling or adopting a dog or cat in this state to abide by the rules and regulations under USDA licensing to include inspection. Clearly SB 6 has fallen extremely short in compliance and the problems in unregulated rescues and shelters is increasing at an alarming rate. Over a third of neglect cases involve a rescue organization. Consider too an unregulated breeder can easily convert to an unregulated rescue completely negating any benefit and protection intended with this Bill.

Seeking a solution, that has little financial impact on our state resources and that would ensure minimum care standards for the prevention of neglect and fraud, is actually quite simple. USDA licensing is comprehensive and effective while maintaining a reasonable fee schedule based on gross sales. *Dollar amount License fee amount (1) \$ 0 - 500 \$ 40.00 (2) 501 - 2,000 70.00 (3) 2,001 - 10,000 130.00 (4) 10,001 - 25,000 235.00 (5) 25,001 - 50,000 360.00 (6) 50,001 - 100,000 485.00 (7) 100,001 - and up 760.00.* In many cases, the cost for registration is less than the adoption/sale fee of one puppy.

Current law and suggested changes -

SB6 Section 10 (b) "Animal rescue entity" means an individual or organization, including but not limited to an animal control agency, humane society, animal shelter, animal sanctuary or boarding kennel not subject to ORS 167.374, but excluding a veterinary facility, that keeps, houses, and maintains in its custody ~~10 or more~~ animals and that solicits or accepts donations in any form. (remove loophole being used to avoid regulation to include anyone soliciting donations)

(c) "Enforcing agency" means the agency that operates a city or county dog licensing and control program under ORS 609.035 to 609.110 or under any city or county ordinances or regulations that operate in lieu of ORS 609.035 to 609.110,

3(a) The entity shall **obtain a license issued by the USDA and enforcing agency** in accordance with this section and any rules or policies adopted by the enforcing agency;" Add - "**all registries must be posted publicly**" allowing donors and purchasers to easily determine compliance.

For the sake of efficiency and best use of your time, I have consolidated a few quotes and facts you may find interesting. Please know that I have hundreds of examples that I would be happy to provide upon request if those are not provided elsewhere in testimony. I would like to formally request details concerning county and individual compliance including the date these entities reached compliance. I have attempted to obtain this information from the counties but most are unaware of the law and rarely follow-up as promised.

Thank you for your time and consideration,  
Respectfully yours,

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