

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

SENATE COMMITTEE ON  
TELECOMMUNICATIONS AND CONSUMER AFFAIRS

April 23, 1991 Hearing Room B  
1:00 p.m. Tape 48 - 49

MEMBERS PRESENT: Senator Jolin, Chair  
                  Senator Otto, Vice-Chair  
                  Senator Kennemer  
                  Senator Bunn  
                  Senator Shoemaker

STAFF PRESENT:           Cherie Copeland, Committee Administrator  
                          Apryl Poff, Committee Assistant

MEASURES HEARD:         SB 1180 Animal restraint, PUB and WS.

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PUBLIC HEARING AND WORK SESSION.  
TAPE 48, SIDE A

005   CHAIR JOLIN:   Calls the hearing to order at 1:12 p.m.

                  Witnesses:   Rep. Ron Cease.  
                                  Joan Dahlberg, Oregon Pet Owners Association.  
                                  Dale Dunning, Oregon Animal Welfare Alliance.  
                                  Sharon Harmon, Oregon Humane Society.  
                                  Marvin Meirose, Marion County Dog Control.  
                                  John Adair, Oregon Animal Control Council.  
                                  Mert Davis, Greenhill Humane Society.  
                                  Gary Kish, Citizen.  
                                  Susan Metley, Willamette Valley Humane Society.  
                                  Dave Hieronymus, Citizen.  
                                  Mike Oswald, Multnomah County Animal Control.  
                                  Thurman Smith, Oregon State Grange.  
                                  Art Laubach, Oregon State Grange.  
                                  Doug Longbotham, Citizen.  
                                  Dick Byrne, Pet Owners Association.

011   REP. CEASE:   Gives testimony in favor to SB 1180-1 amendments.

032   CHERIE COPELAND: Describes the effects of the SB 1180-1 amendments. Most of the bill has been deleted. Sub (1) of Section 2 would remain which would allow the dog to be on its owner's property without restraint, without a fence or without the owner present. Section 3 also remains which is the provision that an agency or organization that takes pets from the public would be required to disclose its euthanasia practice. Veterinarians, research facilities, and pet shops wouldn't be required to

disclose this practice.

047 JOAN DAHLBERG: Submits and summarizes written testimony in favor to SB 1180-1. We have been arguing this for 15 years in Multnomah County. We feel that it's our right to be able to have our pets on our own property without restraint or a fence. We also feel that it's important that people know the euthanasia statistics before making the decision of whether to take their pets to humane society. Our association informs people of the odds of their pets being adopted and offer more suitable options such as trying to give the pet to a friend or someone who will take care of it, instead of taking the pet somewhere it will be euthanized. 90% of the people who were informed chose to use alternate methods when giving a pet away rather than giving to the humane societies. SB 1180-1 meets both of these issues and we are therefore in support of this bill as amended.

125 DALE DUNNING: Submits and summarizes written testimony in opposition to SB 1180 (EXHIBIT C). We are committed to protecting animals from people as well as protecting people from animals. We, as a group, can't in any way believe that this bill, even in it's revised form, does either. Allowing pets to roam free will mean that they can become potential traffic hazards, a possible danger in school yards and at bus stops as well as an increased liability to their owners. We are unaware of any states that allow dogs as much freedom as this bill seeks.

154 SENATOR BUNN: Do you believe that if a pet is attended it should be on a leash?

160 DALE DUNNING: Yes, in most cases.

174 SHARON HARMON: Submits and summarizes written testimony in opposition to SB 1180 (EXHIBIT D). SB 1180 will endanger the lives of the public, companion animals, wildlife, and livestock and increase the potential liability of dog owners. Dogs don't stay within the arbitrary confines of property lines; their territories aren't defined by the tax assessor's office. As such, their territory may include city streets, highways and school yards. Even the most well trained pet can cause a fatal accident in crossing the street or create unwanted offspring from unplanned breeding.

221 SENATOR SHOEMAKER: If a dog becomes a hazard or problem in the neighborhood he will be picked up by animal control. Why don't you think this is enough?

224 SHARON HARMON: Because if the dog is on the owner's property, this bill would prohibit animal control officers from impounding them. There is no provision for an animal that has left the property and returned. We believe that each county should have its own ordinance according to need.

239 SENATOR OTTO: I believe that animal control is different in every county. I don't believe that this bill should be adopted. If people want dog control they have the right of initiative. Each county is different and should be controlled differently.

252 MARVIN MEIROSE: Submits and summarizes written testimony in opposition to SB 1180 (EXHIBIT E). Marion County passed a running at large law through the Referendum Act as prescribed in ORS 609 and we feel that this is sufficient for our county at this time. This bill would also restrict

our dog bite law and make it impossible for us to handle these dogs that are endangering people's lives. We feel that this should be a county or local concern, and not a state concern.

307 JOHN ADAIR: Submits and summarizes written testimony in opposition to SB 1180 (EXHIBIT F). In Section 2 it speaks of allowing dogs to remain on the owners property without restraints or owner's physical presence. If you research the state statutes you will find that nowhere does it require dogs or cats to meet requirements of restraint or owner's presence. In Section 2 again nowhere does state statute require animal control agencies to impound animals for not being leashed or fenced. This bill if passed would also cause a problem for livestock owners in the protection of their investments from dog attack because he would need written permission from an unknown dog owner to shoot that dog causing damage.

328 Senator Kennemer arrives at 1:33.

369 MERT DAVIS: Submits and summarizes written testimony in opposition to SB 1180 (EXHIBIT G). We feel that Section 2 is appropriately determined at the local level in response to the needs and desires of the community. Section 3 is an attempt to fix something that isn't broken. Information is readily available, as a matter of public record, from city and county animal shelters. Humane society animal shelters readily make this information available in their newsletters, annual reports, and to anyone who asks for it.

409 SENATOR BUNN: Does it hurt you to put Section 3 into statute?

416 MERT DAVIS: It doesn't affect us, I'm just questioning why the need to put something into statute that is already being done.

420 SENATOR BUNN: Are you sure that every shelter does the same thing that you do?

425 MERT DAVIS: I'm pretty positive that they do. Any city or county agency has this as a matter of public record.

478 GARY KISH: Gives testimony in opposition to SB 1180. I don't believe that this is an issue that needs to be addressed through legislation. I think what we really need is more responsible pet owners. This bill doesn't encourage people to be responsible pet owners.

TAPE 49 SIDE A

050 SUSAN METLEY: Gives testimony in opposition to SB 1180. We feel that the state law is sufficient at the time. Our shelters are very willing to disclose the information of euthanasia. We urge individuals to use this as a last resort and try to discuss other options.

060 SENATOR BUNN: Are you opposed to both of the remaining provisions in the bill?

065 SUSAN METLEY: We aren't opposed, we just see it as a housekeeping situation within humane societies and animal control shelters. This should be something we can take care of without having a state law.

073 SENATOR BUNN: Are you convinced that every shelter in the state does

provide adequate  
information to individuals bringing an animal in?

075 SUSAN METLEY: I'm convinced that it's something within our organization that we feel needs to be provided. If it isn't being done then it's within our best interest to have these statistics made.

100 DAVE HIERONYMUS: Submits and summarizes written testimony in favor of SB 1180 (EXHIBIT H). Many of the smaller counties feel that impounding pets for not being on their own yards represents an abusive practice. In the agencies where it's happening, there are usually hidden agency policies at issue as the root cause. The agency functions simply as a dog-catching operation. Animal control officers are essentially judged by how many dogs they bring in each day. It amounts to basically a roundup process. This puts the individual animal control officer under considerable pressure to simply bring in dogs, by whatever means he can manage that. The pet trained to stay in his yard is the easiest pet to take. The practice of impounding pets for not being leashed or fenced on their own property should be stopped.

162 MIKE OSWALD: Submits and summarizes written testimony in opposition to SB 1180 (EXHIBIT I). This bill would seriously compromise public safety and the welfare of dogs. Section 1 conflicts with the current, common sense confinement requirements for the keeping of dogs in our community. Proper confinement is especially critical in Multnomah County because of the high frequency of dog-related issues faced in metropolitan areas. In 1989-1990 in Multnomah County:  
>4,000 animals were killed in traffic.  
>2,200 animals were injured in traffic.  
>2,000 dogs were involved in public safety emergencies that included attacks, dog bites, killing other animals.  
>10,000 reports were received concerning neighborhood nuisances caused by unconfined dogs.  
SB 1180 would essentially eliminate the "leash law". The fiscal impact of this bill in Multnomah County would be between \$2-2.5 million for the first year.

305 THURMAN SMITH: The Oregon State Grange is in favor to SB 1180-1. I believe that animals should be permitted to be loose on their own property. I use my dog as protection for the animals on my farm. If my dog was tied up then he wouldn't be able to bring the cows home or protect my lambs from predators.

392 ART LAUBACH: We feel that dogs should be able to run free on their own property. Passage of SB 1180-1 accomplishes this.

440 DOUG LONGBOTHAM: Regardless of what we have heard today, some humane societies give false statistics. That is why many people will relinquish their pets to the humane society. If these people are given accurate statistics, pet owners can make an informed decision based on the probabilities. Euthanasia disclosure is critical because the pet's life hangs in the balance. Truthful disclosure permits an owner or finder of a lost pet the ability to make a decision based on factual probability of euthanasia and adoption rather than falsehoods or assumptions.

485 DICK BYRNE: Submits and summarizes written testimony in favor of SB 1180 (EXHIBIT J).

TAPE 48 SIDE B

030 DICK BYRNE: Gives statistics of the percentage of dogs adoptable over the last 10 years. The Oregon Humane Society claims to place virtually twice the number of dogs that actually have been placed by use of a system that deems a substantial percentage of dogs unadoptable, that percentage in 1988, being 49%, virtually half. It has been reported by shelter personnel themselves to people closely associated with the Pet Owners Association that pets are deemed unadoptable if they had any of the following:

- >Slight coughs or occasional sneezing.
- >Ear mites or eye matter.
- >The pet is 6 years or older.
- >If pet is of a breed already on the adoption floor.
- >Pets that whine, cry, whimper, excessive barking, or excessive scratching.
- >Large in size and unspayed.

125 DICK BYRNE: The consequences of non-disclosure of euthanasia statistics are almost unthinkable. Owners relinquish their pets to agencies and organizations for adoption, trusting that they are getting a truthful accounting of their pet's chances of finding a home. For pet owners to be purposely given false information on so vital a matter constitutes a gross violation of the public trust.

168 MOTION: Chair Jolin moves the SB 1180-1 amendments.

VOTE: In a roll call vote the motion carries with Senators Bunn, Jolin, and Kennemer voting "AYE." Senator Otto voting "NAY." Senator Shoemaker asks that his vote reflect "AYE."

MOTION: Chair Jolin moves SB 1180 as amended to the floor with a Do Pass recommendation.

VOTE: In a roll call vote the motion carries with Senators Bunn, Kennemer, and Jolin voting "AYE." Senator Otto voting "NAY." Senator Shoemaker asks that his vote reflect "AYE."

155 CHAIR JOLIN: Adjourns hearing at 2:20 p.m.

Submitted by: Reviewed by:

Apryl Poff           Cherie Copeland  
Assistant           Committee Administrator

EXHIBIT LOG:

- A - Hand engrossed amendments SB 1180-1 submitted by staff.
- B - Written testimony submitted by Joan Dahlberg, 3 pages.
- C - Written testimony submitted by Dale Dunning, 1 page.
- D - Written testimony submitted by Sharon Harmon, 1 page.
- E - Written testimony submitted by Marvin Meirose, 1 page.
- F - Written testimony submitted by John Adair, 2 pages.
- G - Written testimony submitted by Mert Davis, 1 page.
- H - Written testimony submitted by Dave Hieronymus, 2 pages.

- I - Written testimony submitted by Mike Oswald, 2 pages.
- J - Written testimony submitted by Dick Byrne, 17 pages.