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THE HUMANE SOCIETY OF THE UNITED STATES

January 20, 2021

Judicial Proceedings Committee

SB122

Crimes - Unattended Dogs in Extreme Weather Conditions

FAVORABLE

The Humane Society of the United States, on behalf of our members and supporters in Maryland, urge a favorable report on SB122, “Crimes – Unattended Dogs in Extreme Weather Conditions.” Cases of dogs left outside in dangerous weather are one of the most reported types of animal cruelty, but the vagueness of Maryland’s current law makes it difficult for enforcement officers to act before a dog has suffered injury or death due to exposure. SB 122 is very commonsense legislation, simply requiring that dogs are provided proper shelter when temperatures are below 32 or above 90 degrees, or if there is a severe weather warning issued by the National Weather Service.

January 2019’s brutally cold winter highlighted the need for SB 122, as temperatures plummeted with documented actual temperatures below 0 degrees Fahrenheit, and winter weather warnings were issued throughout the state. Maryland’s law offers no protections for dogs left outdoors in these cases of severe weather. Extended exposure to brutally cold temperatures can result in frostbite and potentially deadly hypothermia. In summer months, heat stroke is a common cause of death for dogs. It is a common misconception that dogs’ fur enables them to withstand extreme cold better than humans. In fact, dogs of any breed who are exposed to extreme cold for long periods of time can and do suffer from hypothermia or death. Exposed skin like the nose, ears, and paw pads are highly susceptible to frost bite and can be permanently damaged. The American Veterinary Medical Association (AVMA) recommends that dogs, even thick-coated arctic breeds, should not be left outside during below freezing weather – and especially not without shelter that allows the dog to maintain normal body temperature.

Dogs across Maryland are suffering and, in some cases, dying from exposure to extreme cold and heat. A definition of shelter that establishes minimum standards is essential. SB 122 will serve as an educational tool to inform pet owners of the level of care they must provide and will make law enforcement less burdensome by providing criteria for determining when the law has been violated. Like any good law, SB 122 is clear and enforceable, designed to solve a problem at hand, and reasonable for citizens to comply. The amendments added in 2020 also ensure that local jurisdictions with stronger ordinances will not be impacted by this state law, which will serve as a minimum standard for those jurisdictions that have not yet taken local action. SB 122 will protect dogs who live outdoors without creating an undue hardship for owners, and we urge a favorable report.

*For more information contact Jennifer Bevan-Dangel, Maryland State Director
jbevandangel@humanesociety.org | C 202-963-8446*

SB122 Unattended Dogs in Extreme Weather Condition

Uploaded by: Crankshaw-Quimby, Patty

Position: FAV



Maryland's Association of Animal Care and Control Agencies and Humane Societies

**PO Box 1143
Easton, Maryland 21601**

SB 122 Unattended Dogs in Extreme Weather Conditions

Maryland Senate Judiciary Proceedings Committee

January 18, 2021

Dear Honorable Chairman Smith, Vice Chair Waldstreicher and members of the committee:

Professional Animal Workers of Maryland, the state organization comprised of animal control agencies and humane societies stands in unanimous support of SB 122. This bill is placing safety as a priority by requiring dog owners within Maryland to fulfill minimum standards of care at all times; including during extreme weather- when temperatures fall below 32 degrees Fahrenheit or over 90 degrees Fahrenheit or during a verified weather emergency.

The bill as written is not requiring more than what is expected as minimum care standards for dogs during extreme weather by national organizations such as American Veterinary Medical Association (AVMA) and The Humane Society of the United States (HSUS). Per the AVMA: "Generally, for dogs and cats, the ambient temperature should be kept above 50 degrees Fahrenheit (10 degrees Celsius), and below 80 degrees Fahrenheit (26.6 degrees Celsius), and the relative humidity should range from 30 to 70%. Animals should be protected from extreme temperatures so as to maintain their health and render their environment comfortable. When climatic conditions pose a threat to the animal's health or well-being, taking into consideration its age, breed, overall health status, and acclimation, then appropriate measures must be taken to alleviate the impact of those conditions."

Requiring dog owners, regardless of the breed, age, size, of their dog to ensure their animals have safe and appropriate shelter in all weather conditions in MD state law is creating a more humane environment across the state. While it is true several counties and jurisdictions have created their own extreme weather ordinances in response to the absence of such regulations at the state level, there are still many areas across Maryland lacking any ordinances or laws which give agencies the teeth to protect the most vulnerable animals in our communities.

Our organization which is comprised of 85% of the animal control agencies and animal shelters within Maryland asks for a favorable vote on SB 122 in order that we may provide a safe environment for the animals served by our agencies and organizations across Maryland. This addition to the law is long overdue and necessary.

Thank you for your time. Please feel free to contact me at any time.

Sincerely,

Patty Crankshaw-Quimby

Executive Director/Chief Animal Control Officer: Talbot Humane/ Talbot County Animal Control

President: Professional Animal Workers of Maryland

Crimes - Unattended Dogs in Extreme Weather - SB 1

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Position: FAV



MARYLAND VOTES FOR ANIMALS

PO Box 10411
BALTIMORE, MD 21209

January 20, 2021

To: Senate Judicial Proceedings Committee
From: Lisa Radov, President and Chairman, Maryland Votes for Animals, Inc.
Re: Crimes – Unattended Dogs in Extreme Weather Conditions- SB 122 - SUPPORT

Chairman Smith, Vice Chairman Waldstreicher, members of the Judicial Proceedings Committee, thank you for the opportunity to testify before to you today. My name is Lisa Radov. I am the President and Chairman of Maryland Votes for Animals. We champion humane legislation to improve the lives of animals in Maryland. Speaking for Maryland Votes for Animals, our Board of Directors, and our members across Maryland, I respectfully request that the Judicial Proceedings Committee vote favorably for Crimes – Unattended Dogs in Extreme Weather Conditions – SB 122.

This bill will give law enforcement and the public clear and consistent minimum standards with respect to leaving dogs outside and unattended in extreme weather conditions. Extreme weather laws have recently passed in ten Maryland counties. There are fundamental similarities, as well as differences, in each of those laws. This bill is the result of feedback from animal control agencies across Maryland, including those that had and had not passed extreme weather laws, to find language that would work in counties as diverse as Garrett, Prince George's, Queen Anne's, Carroll, Montgomery, Baltimore County and Baltimore City. One of the key pieces of feedback was that it is impossible for some owners to bring their large, outdoor hunting dogs into their homes in extreme weather, a concern in Garrett County but probably not Baltimore City. This bill not only enumerates basic, commonsense standards to protect unattended dogs from suffering in extreme weather conditions, but also it allows for dogs to remain outdoors in these conditions provided that they have continuous access to suitable shelter, which is defined in the bill.

Animal control officers are usually called when it is too late and dogs are suffering seizures, heatstroke, hypothermia, and death after being outdoors for long periods of time in extreme weather conditions. This bill will reduce the suffering these animals endure, and the serious consequences, including death, caused by these conditions. It will provide a consistent standard across Maryland that does not change as a dog is moved between jurisdictions.

Establishing guidelines about dogs left outdoors enables animal control officers to intervene before a dog shows symptoms of acute distress. Moreover, adding clarity to the law can foster both public awareness and compliance, which could potentially avert some of these life-threatening situations before they occur.

When this bill was introduced last session, there was a question about whether this bill could jeopardize or weaken requirements in local jurisdictions, so language was added that states:

"THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING A REQUIREMENT FOR THE HEALTH AND SAFETY OF DOGS THAT IS MORE STRINGENT THAN THE REQUIREMENTS OF THIS SECTION."

Last year, the hearing for this bill was March 10, 2020, just two days before the announcement of the changes to the 2020 Session, leaving little time for it to be discussed by this committee. The House crossfile of this bill passed 125-7, but ran out of time.

Let's make 2021 the year that we give these unattended dogs protection from extreme weather.

In closing, I would like to thank Senator Kramer for his sponsorship of SB 122 and ask this committee for a favorable report.

Let Kindness Reign, Vote Humane

WWW.VOTEANIMALS.ORG

January 12, 2021

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January 20, 2021
Judicial Proceedings Committee

SB122
Crimes - Unattended Dogs in Extreme Weather Conditions

FAVORABLE

My name is Deborah Stone Hess. I chair the Baltimore County Animal Services Advisory Commission. Our Commission was created by the Baltimore County Council to advise on matters concerning Baltimore County Animal Services. That's our county-run shelter and Animal Control Division. About 5 thousand animals come through our shelter every year. On behalf of the Baltimore County Animal Services Advisory Commission, I request a favorable report on SB 122.

In 2018, the Baltimore County Council passed a bill virtually identical to SB 122. It's called Oscar's Law. It was created after a dog named Oscar died of hypothermia while lying in subfreezing temperatures in the snow in his Baltimore County yard.

Just think about it. Lying in the snow and freezing to death.

Baltimore County decided its citizens must be responsible for preventing such a tragedy by ensuring their animals have appropriate shelter from intense heat and cold.

Animals throughout our state deserve these protections and will receive them if SB 122 and its commonsense requirements are approved.

I imagine many of you may have pets and care for them deeply. Imagine if your pet was left to suffer and possibly even die in the freezing cold or terrible heat without any protection.

Pet owners have a responsibility to care for their animals and not place them in harm's way. Unfortunately some pet owners don't take these responsibilities seriously. With the passage of SB 122, they will be required to provide basic protections from extreme heat and cold so other animals don't die like Oscar did.

Please vote favorably for Senate Bill 122. By doing so, you will become a protector of helpless animals in the state of Maryland.

SB 122 – Unattended Dogs – Extreme Weather Condi

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Position: FWA



AMERICAN
KENNEL CLUB®

January 20, 2021

American Kennel Club Testimony on SB 122 – Unattended Dogs – Extreme Weather Conditions

The American Kennel Club (AKC) provides this written testimony on behalf of our Maryland dog clubs and thousands of constituent dog owners in Maryland. By way of introduction, the AKC is the world's largest purebred dog registry. We are a club of more than 5,000 local and breed dog clubs around the country, including 78 clubs in Maryland. Our affiliated clubs maintain America's largest purebred rescue network, and for over 135 years AKC has been proud to be the only non-profit purebred registry devoted to the health and well-being and of all dogs. In 2020, the AKC Canine Health Foundation awarded \$3.29 million in 53 research grants across 23 different research program areas, including multiple educational grants to improve the lives of all dogs. This includes almost \$500,000 in research grants in Maryland.

It is this expertise – and the decades of experience represented by our local kennel clubs and constituent dog owners – that leads us to note some concerns with the current proposal in hopes of having it amended slightly.

We greatly appreciate the opportunity we have had to work with House sponsor, Delegate Lehman, to express our concerns with the legislation. Even more so, we are most appreciative that both Delegate Lehman and Senator Kramer have included the exemptions for dogs lawfully and activity engaged in hunting; livestock herding; sledding; sporting; or training, which oftentimes occurs in temperatures outside those established by the bill, were added as an amendment to last session's predecessor legislation (HB 406 of 2020) and are included in Senate Bill 122. The AKC shares Senator Kramer's concern about the well-being of all dogs. It is for this reason we are asking for amendments to ensure that all dogs are truly protected.

Typically, AKC is not supportive of legislation that uses absolute temperature standards to protect dogs from inclement weather, as it does not take into consideration other factors such as the age, breed, general health and condition of the dog or its ability to withstand the environment. Some dogs thrive in temperatures outside these ranges. In the same way, unfortunately, there are some dogs that simply cannot handle the temperatures permitted in this bill for even 30 minutes – potentially putting those dogs in danger. In addition, even responsible owners would be given the false sense that they are safe because forecasted weather is not predicated to reach or be near the established absolute temperature.

As such, our first recommendation would be to replace the temperatures with language that would not allow dogs outdoors *"during any period in which a hazardous weather advisory or warning has been issued by the National Weather Service for the local area, no dog shall be left in conditions where the health and safety of the dog is at risk."*

We respect, however, that the sponsor desires to keep the temperatures in this bill. To that end, AKC requests the following two small clarifications that will ensure all dogs in all circumstances are protected:

- 1) AKC recommends that language be added that considers **the age, breed, general health and condition of the dog and its ability to withstand the environment**. This would keep the absolute temperature language but would also allow for the needs of various breeds, ages, and the general health of individual dogs to be considered and protected.
- 2) Further, AKC recommends that **"acclimation"** be added to the list of exemptions. While we are pleased that the existing exemptions are included, many sportsmen and other trainers have noted that any time that a trained

dog may be called upon to perform a specific task in potential adverse conditions (for example search and rescue), the dog must first be acclimated to those conditions. This avoids any potential harm that might result from performing the task without proper preparation.

In an initial conversation, House Sponsor Del. Lehman seemed agreeable to such an addition. However, she later stated she and Sen. Kramer were not supportive of the acclimation amendment because it was not necessary according to the purpose of the bill. We understand that intent is aimed at backyards or property that provide no shelter from extreme weather. Unfortunately, any legislation offered must also consider the unintended consequences that could result if the legislation becomes law. Without an exemption for acclimation, an owner, trainer, or handler may not be able to appropriately acclimate a dog in the field or any location without suitable shelter. This is essential as there may be situations when other tasks necessary to prepare for the circumstance requiring the dog to be acclimated requires the owner, trainer, or handler to leave it unattended for a period of greater than thirty minutes. Simply adding acclimation to the list of exemptions would address this concern and allow dogs to be safely prepared for the tasks they are trained to perform.

The AKC agrees with the goals of SB 122 and are grateful and appreciative that it will protect some dogs in the state of Maryland. We believe the addition of language that considers the age, breed, general health and condition of the dog and its ability to withstand the environment will ensure there are no loopholes and that all dogs are protected. Additionally, by adding acclimation to the list of exemptions any unintended consequence associated with preparing a dog for task, like search and rescue, will be eliminated.

Thank you for reviewing and considering my testimony.



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