

STAND. COM. REP. NO.

638

Honolulu, Hawaii

FEB 14 , 2025

RE: H.B. No. 319
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Agriculture & Food Systems, to which was referred H.B. No. 319 entitled:

"A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Exempt from the crime of cruelty to animals in the second degree the extermination of insects, vermin, and pests, and the extermination of feral chickens on private property by the property owner, under certain conditions; and
- (2) Require the Department of Agriculture to adopt rules concerning the humane extermination of insects, vermin, pests, and feral chickens.

Your Committee received testimony in support of this measure from one member of the Honolulu City Council and four individuals. Your Committee received testimony in opposition to this measure from Animal Rights Hawai'i and two individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of the Attorney General.

2025-1840 HB319 HD1 HSCR HMSO



Your Committee finds that managing insects, vermin, invasive pests, and feral chickens is a growing concern for property owners across the State, as these animals can cause property damage, disrupt ecosystems, and pose public health risks. However, existing laws regarding animal cruelty are ambiguous around the extermination of these species, leading to challenges in effective pest control. This measure addresses these issues by exempting the extermination of insects, vermin, pests, and feral chickens from the crime of cruelty to animals in the second degree as long as the extermination follows standard and acceptable pest control practices and rules adopted by the Department of Agriculture. By clarifying legal parameters and establishing humane guidelines, this measure balances the need for effective pest management with ethical treatment considerations.

Your Committee has amended this measure by:

- (1) Moving the exemptions from the crime of cruelty to animals in the second degree related to the extermination of insects, vermin, pests, and feral chickens to section 711-1109(2), Hawaii Revised Statutes, and specifying the conditions under which the exemptions apply, rather than requiring the Department of Agriculture to adopt rules to establish those conditions;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Agriculture & Food Systems that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 319, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 319, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Agriculture & Food
Systems,


KIRSTIN KAHALOA, Chair



HSCR 638

Bill/Resolution No.: <div style="font-size: 1.5em; font-family: cursive;">HB 319</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">AGR, JHA</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">2/12/25</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <input type="checkbox"/> Pass, unamended (as is) </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Pass, with amendments (HD) </div> <div style="width: 10%;"> <input type="checkbox"/> Hold </div> </div> <div style="margin-top: 5px;"> <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) </div>				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. KAHALOA, Kirstin (C)	<input checked="" type="checkbox"/>			
2. KUSCH, Matthias (VC)	<input checked="" type="checkbox"/>			
3. LOWEN, Nicole E.	<input checked="" type="checkbox"/>			
4. PERRUSO, Amy A.	<input checked="" type="checkbox"/>			
5. QUINLAN, Sean	<input checked="" type="checkbox"/>			
6. WARD, Gene				<input checked="" type="checkbox"/>
TOTAL (6)	5			1
The recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Adopted </div> <div style="width: 45%;"> <input type="checkbox"/> Not Adopted </div> </div> <div style="margin-top: 5px;"> If joint referral _____ did not support recommendation. </div> <div style="margin-top: 10px; text-align: center;"> committee acronym(s) </div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				