

Honolulu, Hawaii

April 26, 2007

RE: S.B. No. 1665
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1665, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANIMALS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to strengthen Hawaii's animal cruelty laws. This measure creates an offense of cruelty to animals in the first degree by making it a felony to intentionally or knowingly torture, mutilate, or poison or cause the torture, mutilation, or poisoning of any pet animal resulting in serious bodily injury or death of the pet animal.

Your Committee finds that that violence, whether against humans or animals, must not be tolerated in our society. Evidence suggests that there is a link between animal abuse and the commission of violent acts against humans. Your Committee further finds that Hawaii is one of only nine states in the United States which does not have a felony offense for domestic animal abuse.



Your Committee made the torturing, mutilation, and poisoning of pet animals a felony. Your Committee finds that pet animals provide a close emotional bond and relationship with their owners and family members and friends. Violence and harm committed against these animals have significant emotional impact to their owners and family. Thus, pet animals are protected by the felony provisions.

Your Committee amended this measure by:

- (1) Adding poisoning, along with torture and mutilation, to cruelty to animals in the first degree, a felony;
- (2) Eliminating the mandatory counseling provision for animal cruelty offenders;
- (3) Making conduct, against a pet animal, that result in serious bodily injury or death, a felony;
- (4) Defining pet animals as a dog, cat, domesticated rabbit, guinea pig, or caged birds, so long as they are not bred for consumption;
- (5) Making conduct against any animal resulting in substantial bodily injury, a misdemeanor;
- (6) Exempting the practice of cropping and docking from the felony provision but retaining the misdemeanor prohibition; and
- (7) Conforming the forfeiture provisions to apply to the felony prohibitions.

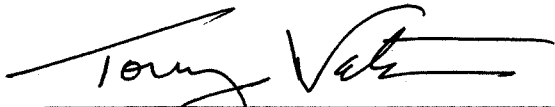
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1665, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1665, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE





TOMMY WATERS, Chair



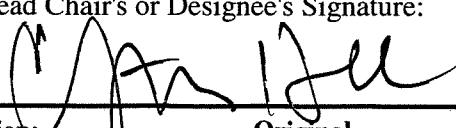
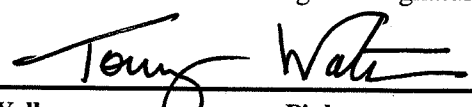
CLAYTON HEE, Chair



Hawaii State Legislature

CCP 29

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 1665, HD 1					Date/Time: 4-26-07 1:46pm				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HEE, Clayton, Chr.	/	/			WATERS, Tommy, Chr.	/	/		
KOKUBUN, Russell S.	/	/			OSHIRO, Blake K.	/	/		
NISHIHARA, Clarence K.	/				SONSON, Alex M.	/	/		
WHALEN, Paul				/	CHING, Corinne W.L.	/	/		
TOTAL	3			1	TOTAL	4			
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
Distribution: Original					Yellow				
File with Conference Committee Report					House Clerk's Office				
					Pink				
					Senate Clerk's Office				
					Goldenrod				
					Drafting Agency				