STAND. COM. REP. NO. 723 -08

Honolulu, Hawaii

Fe 428, 2008

RE: H.B. No. 2476 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2476 entitled:

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

begs leave to report as follows:

The purpose of this bill is to:

- (1) Repeal the existing offense of cruelty to animals as it relates to fighting dogs; and
- (2) Establish a more comprehensive prohibition against dog fighting for monetary gain or entertainment (prohibition).

Your Committee received testimony in support of this measure from the Humane Society of the United States, Hawaiian Humane Society, and many concerned individuals. The Office of the Public Defender opposed this measure. The Department of the Prosecuting Attorney for the City and County of Honolulu submitted comments.

Your Committee has amended this bill by:

- (1) Deleting the provision that specifies that being present at a dog fight falls within the scope of the prohibition;
- (2) Clarifying that the prohibition applies to a person who knowingly possesses any dog intended by the person to be used for a fight;
- (3) Inserting a definition for "device";
- (4) Changing its effective date to January 1, 2112, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2476, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2476, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

TOMMY WATERS / Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Judiciary

| Bill/Resolution No.: HB 2 4 7 6 | Committee Referral: JUD | D | ate: 2-26- <i>0</i> 3 | |
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| ☐ The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| JUD Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. WATERS, Tommy (C) | | | | |
| 2. OSHIRO, Blake K. (VC) | ✓ | | | |
| 3. EVANS, Cindy | Control of the Contro | | | |
| 4. GREEN, Josh, M.D. | | the gatamating Chinasa States of | | / |
| 5. ITO, Ken | | A Company of the Comp | | |
| 6. LUKE, Sylvia | | | | |
| 7. McKELVEY, Angus L.K. | | And the second s | Haller A. William School and Scho | |
| 8. MORITA, Hermina M. | | O to State of the Control of the Con | // - // - // - // - // - // - // - // | |
| 9. SONSON, Alex M. | A Company of the Comp | The state of the s | And the second s | |
| 10. SOUKI, Joseph M. | | | | |
| 11. TSUJI, Clift | | State of the state | The second secon | |
| 12. YAMANE, Ryan I. | | A service of the serv | | |
| 13. YAMASHITA, Kyle T. | | And the second s | PETC STAN ASSESSMENT OF THE STAN ASSESSMENT O | The state of the s |
| 14. MARUMOTO, Barbara C. | | The second secon | | |
| 15. PINE, Kymberly Marcos | | The Samuel Control of | | |
| 16. THIELEN, Cynthia | | | | |
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| TOTAL (16) | 10 | | | 6 |
| The recommendation is: Adopted If joint referral, committee acronym(s) Adopted did not support recommendation. | | | | |
| Vice Chair's or designee's signature: | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office | | | | |