STAND. COM. REP. NO. 1566

Honolulu, Hawaii **Apr: 17**, 2009 RE: S.B. No. 1222 S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1222, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS,"

begs leave to report as follows:

The purpose of this bill is to:

- Clarify the description of the offense of cruelty in animals in the second degree;
- (2) Include within the offense of cruelty to animals in the second degree:
  - (A) Confining a pet animal in a cruel or inhumane manner or for an unreasonable period of time; and
  - (B) Restraining a dog to a stationary object by means of a chain or a restraint that can choke or entangle the dog;
- (3) Amend the animal hoarding statute to reduce from 20 to 15 the number of dogs or cats required to be in possession for the statute to apply.



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Animal Advocate Inc., and several concerned individuals supported this bill. The Hawaiian Humane Society, The Maui Humane Society, The Humane Society of the United States in Hawaii, and several concerned individuals supported the intent of this bill. The Office of the Public Defender and Animal CARE Foundation opposed this bill. A concerned individual offered comments.

Your Committee has amended this bill by:

- Amending the definition of "necessary sustenance" to include adequate space for a dog or cat to stand up, turn around freely, and lie down;
- (2) Deleting from the offense of cruelty to animals in the second degree confining any pet animal in a kennel or cage for an unreasonable period of time;
- (3) Removing chains as part of the prohibited tethering equipment for restraining dogs;
- (4) Extending the sunset date for the animal hoarding statute to July 1, 2015; and
- (5) Making technical and nonsubstantive changes 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 S.B. No. 1222, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1222, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

JON RIKI KARAMATSU, Chair



## State of Hawaii House of Representatives The Twenty-fifth Legislature



## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: 513 1222, SD1	Committee Referral: JUD	Date	4/2/0	1
□ The committee is reconsidering its previou	us decision on the measure.		() /	
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				
2. ITO, Ken (VC)				
3. BELATTI, Della Au				
4. CABANILLA, Rida				
5. CARROLL, Mele				V
6. HERKES, Robert N.				
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K.				
9. MIZUNO, John M.				
10. MORITA, Hermina M.				
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				V
13. TSUJI, Clift				
14. WAKAI, Glenn				V
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia		e -		
<b>TOTAL (16)</b>	11			5
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
<b>Distribution:</b> Original (White) – Committee	e Duplicate (Yellow)	- Chief Clerk's Office	e Duplicate (	Pink) – HMSO