

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2800
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to
which was referred S.B. No. 2800 entitled:

"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC
ORDER,"

begs leave to report as follows:

The purpose of this measure is to sufficiently preserve the
health and well-being of a pet animal by:

- (1) Expanding the definition of a primary pet enclosure; and
- (2) Amending the definition of "necessary sustenance" to
include a broader range of care needed for care of pet
animals.

Testimony in support of the measure was submitted by four
private organizations and nine individuals. Testimony in
opposition was submitted by one state agency and one individual.
Written testimony presented to your Committee may be reviewed on
the Legislature's website.

Your Committee finds that this measure will address
situations where pet animals are confined to small areas for long
periods of time, by requiring that owners provide the most basic
housing, sustenance, care, and keeping standards. Additionally,
the measure provides a necessary requirement that owners provide
veterinary care to pet animals to prevent suffering. Your



Committee notes concerns raised that such requirements may be seen to apply to farm animals, which is not the intent of the measure.

Your Committee has amended this measure by:

- (1) Clarifying that the requirements apply to pet animals, only;
- (2) Retaining the existing language in the definition of "necessary sustenance" that requires that any confinement has adequate space necessary for the health of the pet animal, in order to clarify that the requirements are applicable to both cages and yard areas;
- (3) Inserting an effective date of July 1, 2050 to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for purposes of consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2800, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2800, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,



BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* SB 2800	Committee Referral: JGO	Date: 2/22/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam				✓
TOTAL	4	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes