STAND. COM. REP. NO. 565

Honolulu, Hawaii MAR 0 4 2011

RE: S.B. No. 1424 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 1424 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to protect pet animals by creating an offense of confinement of a dog by tethering under certain circumstances.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Hawaii Island Humane Society, Maui Humane Society, and one hundred sixty-seven individuals. Your Committee received testimony in opposition to this measure from the Police Department of the City and County of Honolulu. Your Committee received comments on this measure from the Hawaii Cattlemen's Council, Inc. and the Maui Cattlemen's Association.

Your Committee notes that in 2009, the Senate passed Senate Resolution No. 114, S.D. 1 (2009), which requested that the Governor establish a Task Force on Humane Restraint and Confinement of Pet Animals to examine the need for comprehensive legislation addressing the restraint and confinement of pet animals. Because the Task Force was never established, the Hawaiian Humane Society led an informal task force composed of a broad sector of pet-related organizations that included island humane societies, veterinarians, and law enforcement personnel to develop guidelines for a bill that balances the goals of



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protecting the welfare of dogs with ensuring that any proposed provisions be enforceable. This measure is a product of that task force.

Your Committee received testimony from the Police Department of the City and County of Honolulu regarding enforcement of the law proposed under this measure, expressing concerns that the Police Department does not possess sufficient training to deal with vicious dogs. Your Committee notes, however, that the Police Department is not the only enforcement agency within the City and County of Honolulu. For example, officers of the Hawaiian Humane Society are deputized by the Honolulu Police Department, and as such, can rescue animals and investigate cruelty on behalf of the City and County of Honolulu.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to allow for further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1424, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1424, 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 Labor,



## The Senate Twenty-Sixth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary and Labor JDL

The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: The Recommendation is: Pass, unamended 2312 Pass, with amendments Hold Recommizing Recommizing	Bill / Resolution No.:* Committee Referral: Date:						
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\*Only one measure per Record of Votes