STAND. COM. REP. NO.

Honolulu, Hawaii , 2013

11710

RE: S.B. No. 8 S.D. 1 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

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Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 8, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE, "

begs leave to report as follows:

The purpose of this measure is to provide additional protections for pet animals by:

- (1) Prohibiting the owners of pet animals or an owner's employees from performing any surgical procedure, including surgical birth, ear cropping, tail docking, dewclaw removal, and debarking on a pet animal, unless the owner or owner's employee is licensed as a veterinarian under Chapter 471, Hawaii Revised Statutes (HRS);
- (2) Establishing that practicing veterinary medicine without a license, including intentionally or knowingly performing any surgical procedure such as surgical birth, ear cropping, tail docking, dewclaw removal, and debarking, on a pet animal, is a class C felony; and
- (3) Specifying that accepted veterinary practices and certain customary practices, such as the cropping of ears or docking of tails by a veterinarian licensed



under Chapter 471, HRS, shall not be considered cruelty to animals in the first degree.

The Humane Society of the United States, Hawaiian Humane Society, Hawaii Island Humane Society, Hawaii Veterinary Medical Association, Hawaiian Kennel Club, Animal Rights Hawaii, and numerous individuals testified in support of this measure. Several individuals testified in opposition to this measure. The Board of Veterinary Examiners and a few individuals provided comments.

Your Committee notes that consideration of further protections for pet animals may be warranted, such as requiring all persons not licensed to practice veterinary medicine to contact a licensed veterinarian 24 hours prior to conducting any surgical procedure on a pet animal. Should the Committee on Judiciary hear this measure, your Committee respectfully requests that these additional protections be considered.

Your Committee has amended this measure by:

- Allowing persons, not licensed to practice veterinary medicine and residing in counties with a population of less than 500,000, to conduct tail docking and dewclaw removal procedures on pet animals within five days of the pet animal's birth;
- (2) Clarifying provisions relating to the prohibition against announcing, advertising, or otherwise holding oneself out to be a practitioner of veterinary medicine without having a valid unrevoked veterinary license;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 8, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 8, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.



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Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

1170

SB8 HD1 HSCR CPC HMS 2013-2916

ANGUS L.K. MCKELVEY, Chair



## **Record of Votes of the Committee on Consumer Protection & Commerce**

	Committee Referral:		Date: 03/20/2013	
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold   Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)				
2. KAWAKAMI, Derek S.K. (VC)				
3. BELATTI, Della Au	Ľ			
4. BROWER, Tom	L 1			
5. CABANILLA, Rida T.R.				
6. CACHOLA, Romy M.				
7. CARROLL, Mele				
8. EVANS, Cindy	V			
9. HAR, Sharon E.				V
10. ITO, Ken				
11. LEE, Chris	V			
12. TSUJI, Clift	V			
13. YAMANE, Ryan I.	$\checkmark$			
14. MCDERMOTT, Bob				
15. THIELEN, Cynthia	V			
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TOTAL (15)				4
The recommendation is: Adopted I Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				