

1508

Honolulu, Hawaii Apin 5, 2013 RE: S.B. No. 8 S.D. 1 H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 8, S.D. 1, H.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 better protect pet animals by:

- (1) Prohibiting the owner of a pet animal or the owner's employees from performing surgical procedures on the pet animal without being licensed as a veterinarian, with the exception that persons from counties with a population of less than 500,000 persons may perform tail docking and dewclaw removal procedures on pet animals within five days of the pet animal's birth;
- (2) Establishing that performing surgical procedures on a pet animal without being a licensed veterinarian is a class C felony; and
- (3) Clarifying that the exceptions to animal cruelty in the first degree for accepted veterinary practices and customary cropping or docking only apply if performed by a licensed veterinarian.



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The Hawaii Veterinary Medical Association and numerous concerned individuals testified in support of this measure. Three concerned individuals testified in opposition to this measure. The Humane Society of the United States, Hawaiian Humane Society, and three concerned individuals provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the exemption from the prohibition against performing tail docking and dewclaw removal procedures on pet animals within five days of the pet animal's birth without a veterinary license applies only to persons residing on an island with a resident population of less than 5,000;
- (2) Removing language that would have made performing surgical procedures on a pet animal without being a licensed veterinarian a class C felony, so that the penalty is the same as that imposed for other acts of practicing veterinary medicine without a license, which is a misdemeanor;
- (3) Deleting language that would have narrowed the exceptions to animal cruelty in the first degree for accepted veterinary practices and customary cropping or docking; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 8, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 8, S.D. 1, H.D. 2.

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

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KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature

HSCR1568

Record of Votes of the Committee on Judiciary

	e Referral:	Date:		
SB8, SD1, HD1 CPC,	JUD	4	12/13	
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: D Pass, unamended (as is) Pass, with amendments (HD) D Hold				
Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	Х			
2. HAR, Sharon E. (VC)			X	
3. BELATTI, Della Au	×.			
4. BROWER, Tom	×.			
5. CABANILLA, Rida T.R.				X
6. CARROLL, Mele				Х.
7. ITO, Ken				X
8. KAWAKAMI, Derek S.K.		X		
9. LEE, Chris	<u>×</u>			
10. TSUJI, Clift	,	X		
11. WOOLEY, Jessica	X			
12. MCDERMOTT, Bob	X			
13. THIELEN, Cynthia	<u>×</u>			
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TOTAL (13)	1	2		3
The recommendation is: Adopted I Not Adopted did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				