

JAN 22 2021

A BILL FOR AN ACT

RELATING TO ANIMAL CONTROL SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to repeal section
2 143-16, Hawaii Revised Statutes. The legislature finds that
3 section 143-16, Hawaii Revised Statutes, is outdated and
4 unnecessary. That section was adopted in 1953 when Hawaii was a
5 territory of the United States, and that section contains a
6 requirement for the County of Kauai to contract specifically and
7 only with the Kauai Humane Society for animal control services
8 for dogs. On Kauai, as is the case in other counties in the
9 State, there are other contractors or vendors, besides the Kauai
10 Humane Society, who may potentially bid on public contracts to
11 provide animal control services for the county of Kauai.
12 Further, since the adoption of this law in 1953, the Kauai
13 Humane Society has constructed a building for an animal shelter
14 or "dog pound" as mentioned in the second paragraph of section
15 143-16, which makes this section even more unnecessary.
16 Furthermore, the effect of the language from the preceding
17 section, section 143-15, Hawaii Revised Statutes, makes section



1 143-16 even more unnecessary, because section 143-15 already
2 applies to all counties, including Kauai, for animal control
3 services contracts. Section 143-15, Hawaii Revised Statutes,
4 already allows: "Any county may contract with any society or
5 organization formed for the prevention of cruelty to animals, or
6 similar dog protective organization" Thus, Kauai should
7 be treated equally, like the other counties of the State, and
8 similarly, Kauai should have the freedom to contract with "any
9 society or organization formed for the prevention of cruelty to
10 animals, or similar dog protective organization" as allowed by
11 section 143-15. Consequently, section 143-16, Hawaii Revised
12 Statutes, is unnecessary and should be deleted.

13 SECTION 2. Section 143-16, Hawaii Revised Statutes, is
14 repealed.

15 [~~"§143-16 Contract between county of Kauai and Kauai~~
16 ~~Humane Society. Pursuant to the authorization provided in~~
17 ~~section 143-15 the county council of the county of Kauai shall~~
18 ~~contract with the Kauai Humane Society, an incorporated~~
19 ~~nonprofit association organized under the laws of the State for~~
20 ~~the prevention of cruelty to animals, upon the subject matters~~
21 ~~contained in section 143-15 and shall appropriate the moneys~~



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1 ~~collected by the director of finance of the county of Kauai~~
 2 ~~under section 143-3 for use by the Kauai Humane Society.~~

3 ~~In addition to the matter contained in section 143-15 the~~
 4 ~~Kauai Humane Society may expend funds turned over by the county~~
 5 ~~to construct a dog pound on Kauai; provided that the county~~
 6 ~~council shall first approve the plans for the construction and~~
 7 ~~location of the dog pound."]~~

8 SECTION 3. Statutory material to be repealed is bracketed
 9 and stricken.

10 SECTION 4. This Act shall take effect upon its approval.

11

INTRODUCED BY: *M. N. M.*
 By Request



S.B. NO. 441

Report Title:

Kauai County Package; Kauai Humane Society; Animal Control Services

Description:

Repeals statutory language that: (1) Requires the County of Kauai to contract with the Kauai Humane Society for animal control services; and (2) Authorizes the Kauai Humane Society to construct a dog pound with Kauai County Council approval.

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