

Honolulu, Hawaii

MAR 2 - 2006

RE: S.B. No. 2930  
S.D. 1

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2930 entitled:

"A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS,"

begs leave to report as follows:

The purpose of this measure is to clarify that animal care costs for abused or neglected animals will be the responsibility of the abuser.

Testimony in support of this measure was submitted by the Hawaiian Humane Society, the Kauai Humane Society, the Maui Humane Society, and twenty-nine individuals. The Office of the Public Defender submitted testimony in opposition to this measure.

Your Committee finds that this measure clarifies who will be financially responsible for the expenses incurred for the feeding, housing, and care of abused animals that have been rescued. These animals are often left in the custody of law enforcement agencies while the court resolves the criminal case against the abuser. This often takes months or even years to be resolved at the law enforcement agency's expense. This measure clearly states that the abuser will be responsible for the costs.

Your Committee further notes that the need for legislation such as this measure was exemplified by the \$269,000 bill the Hawaiian Humane Society incurred for the care of sixty-nine dogs that were rescued from a breeder in Kahaluu. Although the defendant plead guilty to fifty-five counts of animal cruelty, the



court did not order restitution as part of the sentence and the defendant was not required to reimburse the Humane Society for the care of his animals.

Your Committee has amended this measure to:

- (1) Include defendants who plead guilty or nolo contendere to be required to surrender or forfeit their animals;
- (2) Delete reference to the humane society and instead insert a reference to a law enforcement agency, which includes humane societies; and
- (3) Delete the provision subjecting the forfeiture of equipment and animals to the requirements of chapter 712A.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2930, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2930, 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  
Hawaiian Affairs,

  
COLLEEN HANABUSA, Chair



