

Honolulu, Hawaii

APR 30 2009 , 2009

RE: S.B. No. 1222
S.D. 1
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1222, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HUMANE TREATMENT OF PET ANIMALS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to clarify the misdemeanor offense of cruelty to animals in the second degree by including intentionally, knowingly, or recklessly:

- (1) Confining or causing to be confined, in a kennel or cage, any pet animal in a cruel or inhumane manner;
- (2) Tethering, fastening, chaining, tying, or restraining a dog to a dog house, tree, fence, or any other stationary object by means of a choke collar, pinch collar, chain collar, or prong collar, or any restraint that would allow



the dog to choke or become entangled; provided that a person is not prohibited from using such restraints when walking a dog with a hand-held leash or while a dog is engaged in a supervised activity.

This measure also:

- (1) Clarifies the definition of "necessary sustenance" to include the requirement that an area of confinement for a cat or dog have adequate space for the cat or dog to stand up, turn around freely, and lie down;
- (2) Decreases from twenty to fifteen, the number of dog, cats, or combination of dogs and cats required to be possessed for the animal hoarding statute to apply; and
- (3) Extends the sunset date of Act 128, Session Laws of Hawaii 2008, relating to animal hoarding from July 1, 2011 to July 1, 2015.

Your Committee on Conference has amended this measure by:

- (1) Deleting amendments to the definition of "necessary sustenance";
- (2) Clarifying the prohibition on dog tethering to delete references to chaining and chain collars; and
- (3) Changing the effective date from July 1, 2050 to July 1, 2009.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1222, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1222, S.D. 1, H.D. 1, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


JON RIKI KARAMATSU, Chair


BRIAN T. TANIGUCHI, Chair



Hawaii State Legislature

CCR 85

Record of Votes of a
Conference Committee


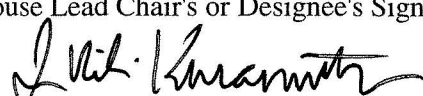
Bill / Concurrent Resolution No.: SB 1222, SD 1, HD 1	Date/Time: 4/30/09 11:12 a.m.
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- The recommendation of the House and Senate managers is to pass with amendments (CD).
- The Committee is reconsidering its previous decision.
- | | |
|---|---|
| <input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure | <input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure. |
|---|---|

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
TANIGUCHI, Brian T., Chr.	✓				KARAMATSU, Jon Riki, Chr.	✓			
TAKAMINE, Dwight Y.	✓				ITO, Ken	✓			
SLOM, Sam	✓				TSUJI, Clift	✓			
					THIELEN, Cynthia	✓			
TOTAL	3	0	0	0	TOTAL	4	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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