

STAND. COM. REP. NO.

1566

Honolulu, Hawaii

Apr: 17, 2009

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

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1222, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to:

- (1) Clarify the description of the offense of cruelty in animals in the second degree;
- (2) Include within the offense of cruelty to animals in the second degree:
 - (A) Confining a pet animal in a cruel or inhumane manner or for an unreasonable period of time; and
 - (B) Restraining a dog to a stationary object by means of a chain or a restraint that can choke or entangle the dog;
- (3) Amend the animal hoarding statute to reduce from 20 to 15 the number of dogs or cats required to be in possession for the statute to apply.



Animal Advocate Inc., and several concerned individuals supported this bill. The Hawaiian Humane Society, The Maui Humane Society, The Humane Society of the United States in Hawaii, and several concerned individuals supported the intent of this bill. The Office of the Public Defender and Animal CARE Foundation opposed this bill. A concerned individual offered comments.

Your Committee has amended this bill by:

- (1) Amending the definition of "necessary sustenance" to include adequate space for a dog or cat to stand up, turn around freely, and lie down;
- (2) Deleting from the offense of cruelty to animals in the second degree confining any pet animal in a kennel or cage for an unreasonable period of time;
- (3) Removing chains as part of the prohibited tethering equipment for restraining dogs;
- (4) Extending the sunset date for the animal hoarding statute to July 1, 2015; and
- (5) Making technical and nonsubstantive changes for style, clarity, and consistency.

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. 1222, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1222, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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



JON RIKI KARAMATSU, Chair



