

Honolulu, Hawaii

APR - 1 2010

RE: H.B. No. 2725  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 2725, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANIMALS,"

begs leave to report as follows:

The purpose of this measure is to revise laws prohibiting the cruel treatment of pet animals by:

- (1) Amending the definition of "necessary sustenance" to specify the standards of care that an owner must provide a pet animal, including the type of pet enclosure and under what conditions and veterinary care must be provided; and
- (2) Revising the definition of "pet animal" to exclude certain domesticated rabbits, caged birds, and domesticated pigs.

Testimony in support of the measure was submitted by one private organization and two individuals. Testimony in support of the measure, with suggested amendments, was submitted by two private organizations. Testimony in opposition to the measure was submitted by one state agency. Comments regarding the measure were submitted by one state agency and one private organization. Written testimony presented to your Committee may be reviewed on the Legislature's website.



Your Committee finds that the existing definitions applicable to cruelty to animals lack specificity in the areas of the requirements of a primary pet enclosure and the range of care needed to sufficiently preserve the health and well-being of a pet animal. This measure is intended to provide more precision for these matters. However, testimony regarding this measure indicates that there are still unaddressed concerns from various parties. Your Committee notes concerns raised by the Hawaii Farm Bureau Federation and the Hawaii Cattlemen's Council that the habitat requirements in this measure are not intended for livestock or other animals raised for food production purposes, and it is your Committee's intent that only pet animals not raised for food production purposes will be covered by this measure. Your Committee understands that the parties are working together to develop a draft to sort out these points.

Your Committee notes that a measure similar to H.B. No. 2725, H.D. 1, was heard and approved by your Committee and passed by the Senate. Given the ongoing discussion between the parties, your Committee believes that substituting the contents of the similar measure, S.B. No. 2800, S.D. 1, will encourage discussion on these unanswered issues.

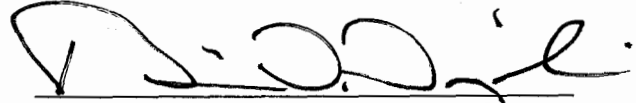
Accordingly, your Committee has amended this measure by deleting its contents and substituting the contents of S.B. No. 2800, S.D. 1, which amends the definition of "necessary sustenance" to include:

- (1) The requirements of an area of confinement in a primary pet enclosure; and
- (2) Veterinary care when needed to prevent suffering.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2725, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2725, H.D. 1, 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  
Government Operations,



BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Government Operations**  
**JGO**

Bill / Resolution No.:* <b>HB 2725, HD1</b>	Committee Referral: <b>JGO</b>	Date: <b>29<sup>th</sup> 3/28/10</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)				✓
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes