

STAND. COM. REP. NO. 398

Honolulu, Hawaii

Feb 17, 2011

RE: H.B. No. 1133  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1133 entitled:

"A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE,"

begs leave to report as follows:

The purpose of this bill is to increase the penalty for persons who are convicted of practicing veterinary medicine without a license, by changing the penalty to a Class C felony.

The Secretary of the Boxer Club of Hawaii, Poi Dogs & Popoki, and a concerned individual testified in support of this bill. The Board of Veterinary Examiners submitted comments.

Upon consideration, your Committee has amended this bill by:

- (1) Clarifying who is subject to the Class C felony, to mean persons convicted of practicing veterinary medicine without a license, and intentionally or knowingly performing veterinary procedures on a pet animal in a cruel or inhumane manner;
- (2) Defining "pet animal" under the veterinary medicine law;
- (3) Clarifying that in addition to the criminal penalties specified above, all materials, equipment, and appurtenances used in the practice of veterinary medicine without a license, shall be forfeited to the

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State and turned over to the Board of Veterinary Examiners;

- (4) Clarifying that cruelty to animals in the first degree does not apply to:
  - (A) Accepted veterinary practices with respect to practicing without a license; and
  - (B) Cropping or docking as customarily practiced unless performed for compensation by a person not licensed as a veterinarian;

and

- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1133, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1133, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,



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ROBERT N. HERKES, Chair



HSOR 298

State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1133	Committee Referral: CPC, JLD	Date: 2/9/2011
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The committee is reconsidering its previous decision on the measure.

The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	/			
2. YAMANE, Ryan I. (VC)	/			
3. BROWER, Tom				/
4. CABANILLA, Rida T.R.				/
5. CARROLL, Mele	/			
6. ITO, Ken				/
7. KEITH-AGARAN, Gilbert S.C.	/			
8. LUKE, Sylvia	/			
9. McKELVEY, Angus L.K.	/			
10. MORITA, Hermina M.	/			
11. OSHIRO, Blake K.	/			
12. SOUKI, Joseph M.	/			
13. TSUJI, Clift	/			
14. CHING, Corinne W.L.				/
15. MARUMOTO, Barbara C.	/			
16. THIELEN, Cynthia				/
TOTAL (16)	11			5

The recommendation is:  Adopted  Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
committee acronym(s)

Vice Chair's or designee's signature: 

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