

STAND. COM. REP. NO. 816

Honolulu, Hawaii

March 8, 2011

RE: H.B. No. 1133
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1133, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to make the intentional or knowing performance of a veterinary procedure on a pet animal in a cruel or inhumane manner by an individual who is not a licensed veterinarian a Class C felony. The bill also subjects to the law against cruelty to animals in the first degree, any unlicensed individual who crops or docks an animal for compensation.

Poi Dogs and Popoki and several concerned individuals supported this bill. The Humane Society of the United States supported the measure suggesting amendments. The Attorney General and the Board of Veterinary Examiners provided comments.

Your Committee finds that there is a need for more explicit laws to protect pet animals from significant harm caused by unlicensed individuals performing veterinary procedures. Your Committee also finds that cropping and docking should not be performed by unlicensed individuals for compensation, monetary or otherwise, or by unlicensed individuals who perform the practice as part of the sale of a pet animal even if done gratuitously. It is the intention of your Committee that stronger penalties will assist in the deterrence and prevention of these practices by unlicensed individuals.

HB1133 HD2 HSCR JUD HMS 2011-2761-A1



Your Committee has amended this bill by:

- (1) Adopting the recommendation of the Attorney General to delete the requirement that the unlicensed individual must first be convicted of violating the applicable licensing statute;
- (2) Deleting the requirement that for a violation to occur, the performance by an unlicensed individual of a veterinary procedure on a pet animal must be done in a "cruel or inhumane manner";
- (3) Further clarifying that the exceptions to the law against animal cruelty with regard to cropping and docking do not apply to unlicensed individuals who perform cropping and docking as part of the overall sale of a pet animal even if they provide this service gratuitously; and
- (4) Changing its effective date to January 7, 2059, to encourage further discussion.

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 H.B. No. 1133, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1133, H.D. 2.

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


GILBERT KEITH-AGARAN, Chair



