

STAND. COM. REP. NO.

24

Honolulu, Hawaii

FEB 08 2011

RE: S.B. No. 1194

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1194 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to increase the level of offense for practicing veterinary medicine without a license in order to strengthen enforcement of the existing prohibition.

Your Committee received testimony in support of this measure from Boxer Club of Hawaii, Poi Dogs & Popoki, and one individual. Your Committee received comments on this measure from the Board of Veterinary Examiners.

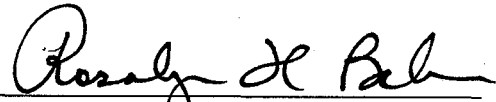
Your Committee finds that the current classification of the offense of practicing veterinary medicine without a license as a misdemeanor that carries a maximum penalty of \$500 and six months imprisonment is insufficient to provide effective deterrence or to promote consistent enforcement. Unfortunately, your Committee further finds that some unlicensed persons in the State do perform veterinary procedures including ear and tail bobbing, spay or neutering, and even voice box removal under conditions and in a manner that is inhumane, unsanitary, and unethical. Your Committee also finds that increasing the classification of the offense of practicing veterinary medicine without a license to a class C felony will increase the maximum available penalty to over one year imprisonment, therefore increasing both the incentive to prosecute and the deterrent effect of the penalty. Finally, your



Committee notes that the change in classification of the offense effectuated by this measure makes the classification of practicing veterinary medicine without a license consistent with the classification of animal cruelty in the first degree, which involves similar conduct.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1194 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

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



ROSALYN H. BAKER, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB1194	Committee Referral: CPN, JDL	Date: Feb 3, 2011		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam				✓
TOTAL	6	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes