

STAND. COM. REP. NO.

565

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 1424
S.D. 1

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

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 1424 entitled:

"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC
ORDER,"

begs leave to report as follows:

The purpose and intent of this measure is to protect pet
animals by creating an offense of confinement of a dog by
tethering under certain circumstances.

Your Committee received testimony in support of this measure
from the Hawaiian Humane Society, Hawaii Island Humane Society,
Maui Humane Society, and one hundred sixty-seven individuals.
Your Committee received testimony in opposition to this measure
from the Police Department of the City and County of Honolulu.
Your Committee received comments on this measure from the Hawaii
Cattlemen's Council, Inc. and the Maui Cattlemen's Association.

Your Committee notes that in 2009, the Senate passed Senate
Resolution No. 114, S.D. 1 (2009), which requested that the
Governor establish a Task Force on Humane Restraint and
Confinement of Pet Animals to examine the need for comprehensive
legislation addressing the restraint and confinement of pet
animals. Because the Task Force was never established, the
Hawaiian Humane Society led an informal task force composed of a
broad sector of pet-related organizations that included island
humane societies, veterinarians, and law enforcement personnel to
develop guidelines for a bill that balances the goals of



protecting the welfare of dogs with ensuring that any proposed provisions be enforceable. This measure is a product of that task force.

Your Committee received testimony from the Police Department of the City and County of Honolulu regarding enforcement of the law proposed under this measure, expressing concerns that the Police Department does not possess sufficient training to deal with vicious dogs. Your Committee notes, however, that the Police Department is not the only enforcement agency within the City and County of Honolulu. For example, officers of the Hawaiian Humane Society are deputized by the Honolulu Police Department, and as such, can rescue animals and investigate cruelty on behalf of the City and County of Honolulu.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to allow for further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1424, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1424, 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
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 1424	Committee Referral: JDL	Date: 2/10/11		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam				✓
TOTAL	3	0	0	2
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