

Honolulu, Hawaii

MAR 01 2012

RE: S.B. No. 2492

S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2492 entitled:

"A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY,"

begs leave to report as follows:

The purpose and intent of this measure is to ensure that dogs
at large-scale breeding facilities receive a minimum standard of
care. Specifically, this measure:

- (1) Prohibits the ownership or custody of more than thirty
dogs over the age of six months with intact sexual
organs;
- (2) Requires owners of ten or more dogs over the age of six
months with intact sexual organs to meet minimum
standards of care to ensure the proper treatment and
care of the dogs and the dogs' offspring;
- (3) Requires owners of ten or more dogs over the age of six
months with intact sexual organs to maintain specific
written records of each dog for a specified period;
- (4) Prohibits certain types of dogs to be placed in the same
enclosure; and
- (5) Establishes penalties.



Your Committee received testimony in support of this measure from the Hawaiian Human Society, the Maui Humane Society, and ninety-four private individuals. Testimony in opposition to this measure was submitted by the American Kennel Club, the Hawaiian Kennel Club, and twenty-three private individuals.

Your Committee finds that profit-driven breeding is prevalent in Hawaii. Recent research conducted by the Hawaiian Humane Society reveals that during a two-week period in November on Oahu, over three hundred sixty puppies were available for sale. This number projected over a one-year period is approximately \$9,400,000 in revenues from the sale of dogs. Unfortunately, existing state and federal laws regarding the care and husbandry of dogs inadequately regulate large-scale breeding facilities in Hawaii. This measure ensures that dogs at large-scale breeding facilities receive sanitary living conditions, proper and timely medical care, the ability to move freely at least once a day, and adequate shelter from the elements.

Your Committee has amended this measure by:

- (1) Adopting amendments suggested by the Hawaiian Humane Society to:
 - (A) Clarify minimum standards of care, including regular exercise, sufficient food and clean water, sufficient housing or shelter, sufficient space for movement, and veterinary care;
 - (B) Lower the age of a dog entitled to receive a minimum standard of care from six to four months in order to conform to county minimum dog age requirements for licensing;
 - (C) Clarify the recordkeeping requirements applied to owners of more than ten dogs and add a recordkeeping requirement for microchip implants;
 - (D) Prohibit the breeding of a dog to produce more than two litters in any eighteen-month period; and
 - (E) Insert a severability clause;



- (2) Amending language to prohibit the ownership or custody of more than thirty dogs over the age of one year rather than six months;
- (3) Inserting an effective date of July 1, 2050, to ensure further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2492, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2492, 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



