

Honolulu, Hawaii

APR 26 2013

RE: S.B. No. 635
S.D. 1
H.D. 3
C.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 635, S.D. 1, H.D. 3, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to protect law enforcement animals in the line of duty. Specifically, this measure:

- (1) Creates the offense of cruelty to a law enforcement animal in the first and second degrees;
- (2) Establishes penalties; and
- (3) Provides exceptions to the offenses, affirmative defenses, and restitution to certain affected parties.



Your Committee on Conference finds that law enforcement animals are an integral part of Hawaii's law enforcement and corrections agencies and are hand-selected and highly trained for their jobs. These animals diligently work side-by-side with law enforcement officers, deputies, and other personnel and should be afforded special protections. This measure protects law enforcement animals in the line of duty.

Your Committee on Conference has amended this measure by adopting the H.D. 1 version of this measure which:

- (1) Adds the definition of "law enforcement animal" to section 711-1110, Hawaii Revised Statutes;
- (2) Amends section 711-1109.4, Hawaii Revised Statutes, to include recklessly causing substantial bodily injury to or death of any law enforcement animal under the offense of causing injury or death to a service dog; rename the offense; provide certain exceptions to this offense; establish that a violation is a class C felony; provide restitution; and establish an affirmative defense;
- (3) Amends section 711-1109.5, Hawaii Revised Statutes, to include intentionally or knowingly striking, beating, kicking, stabbing, shooting, or administering any type of harmful substance or poison to a law enforcement animal under the offense of intentional interference with the use of a service dog; rename the offense; provide certain exceptions to this offense; establish that a violation is a misdemeanor; and provide restitution; and
- (4) Inserts an effective date of upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 635, S.D. 1, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 635, S.D. 1, H.D. 3, C.D. 1.



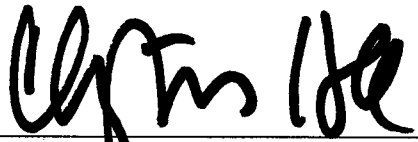
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

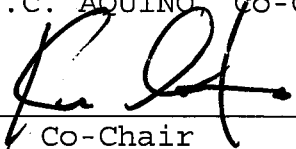
ON THE PART OF THE SENATE



HENRY J.C. AQUINO, Co-Chair



CLAYTON LEE, Chair



KEN ITO, Co-Chair



MAILE S.L. SHIMABUKURO, Co-Chair



KANIELA ING, Co-Chair



