

Honolulu, Hawaii

FEB 04 2013

RE: S.B. No. 8
S.D. 1

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

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 8 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:

- (1) Prohibit the owner of an animal, and the owner's employees, from performing surgical procedures on the animal without being licensed as a veterinarian;
- (2) Establish that intentionally or knowingly performing any surgical procedure on a pet animal by any person not licensed as a veterinarian is a class C felony; and
- (3) Specify that accepted veterinary practices and cropping or docking as customarily practiced shall not be considered cruelty to animals in the first degree if performed by a licensed veterinarian.

Your Committee received testimony in support of this measure from The Humane Society of the United States, Hawaiian Humane Society, Hawaii Island Humane Society, West Hawaii Humane Society, Hawaii Veterinary Medical Association, Equine 808 Horse Rescue, and twenty-one individuals. Your Committee received testimony in opposition to this measure from The Pet Hale and six individuals. Your Committee received comments on this measure from the Board of Veterinary Examiners.



Your Committee finds that surgical procedures, including surgical birth, ear cropping, tail docking, dewclaw removal, and debarking, are extremely painful to a pet animal if performed improperly by someone other than a licensed veterinarian. Serious infection, shock, and even death of a pet animal can result when these procedures are performed by non-veterinarians.

Your Committee further finds that pet animals that undergo these surgical procedures require proper pre- and post-operative care and anesthesia to reduce complications, blood loss, and distress. This measure therefore promotes the humane treatment of pet animals by ensuring that pet animals undergoing surgical procedures will do so under the care of an appropriately licensed veterinarian.

Your Committee has amended this measure by:

- (1) Specifying that the prohibited conduct referenced in this measure is the performance of surgical procedures by the owner of a pet animal and the owner's employees on the pet animal, where "pet animal" has the same definition as in section 711-1100, Hawaii Revised Statutes; and
- (2) Specifying that the surgical procedures on pet animals referenced in this measure include dewclaw removal.

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. 8, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 8, S.D. 1, 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-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 8	Committee Referral: CPN, JDL	Date: 1/30/13		
<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
BAKER, Rosalyn H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
TANIGUCHI, Brian T.	✓			
WAKAI, Glenn				✓
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