

Honolulu, Hawaii

April 1, 2013

RE: S.B. No. 6
S.D. 1
H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 6, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to prevent the cruel treatment of animals. Specifically, this measure:

- (1) Requires dogs or cats that are captured or killed in a snare or certain traps to be reported to a county animal control officer;
- (2) Establishes a misdemeanor offense for the use of steel-jawed leg-hold traps or the use of snares, conibear, and foot- or leg-hold traps in residential or other prohibited areas; and
- (3) Provides exemptions for activities carried out by state and federal agencies.

The Hawaiian Humane Society, the Molokai Humane Society, the Hawaii Island Humane Society, The Nature Conservancy, Hui Pono Holoholona, and over two hundred concerned individuals supported this measure. Several concerned individuals opposed this measure. The Department of Land and Natural Resources, the Humane Society



of the United States, the Hawaii Pest Control Association, and several concerned individuals submitted comments.

To ensure that animals are treated humanely, your Committee reiterates that this measure prohibits the use of snares, conibear traps, and foot- or leg-hold traps in areas zoned as residential or where such traps are prohibited by law or rule and the general use of steel-jawed leg-hold traps, with specified and narrow exceptions. As such, your Committee emphasizes that such traps and snares should not be claimed to be, or used as, rodent control devices, and finds that this measure should not be ambiguous on this point.

Accordingly, your Committee has amended this measure to delete the exception for persons carrying out accepted practices for rodent control that do not involve the specified traps and snares.

Your Committee has further amended this measure to:

- (1) Broaden the exception for employees of state or federal agencies who are carrying out activities required under a management plan to include persons acting as designated cooperators or as agents of the State;
- (2) Clarify that the definition of "conibear traps" does not include snap traps used for rodent control;
- (3) Make the measure effective upon its approval; and
- (4) Make technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 6, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 6, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



