

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 8
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 Consumer Protection & Commerce, to which was referred S.B. No. 8, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE,"

begs leave to report as follows:

The purpose of this measure is to provide additional protections for pet animals by:

- (1) Prohibiting the owners of pet animals or an owner's employees from performing any surgical procedure, including surgical birth, ear cropping, tail docking, dewclaw removal, and debarking on a pet animal, unless the owner or owner's employee is licensed as a veterinarian under Chapter 471, Hawaii Revised Statutes (HRS);
- (2) Establishing that practicing veterinary medicine without a license, including intentionally or knowingly performing any surgical procedure such as surgical birth, ear cropping, tail docking, dewclaw removal, and debarking, on a pet animal, is a class C felony; and
- (3) Specifying that accepted veterinary practices and certain customary practices, such as the cropping of ears or docking of tails by a veterinarian licensed



under Chapter 471, HRS, shall not be considered cruelty to animals in the first degree.

The Humane Society of the United States, Hawaiian Humane Society, Hawaii Island Humane Society, Hawaii Veterinary Medical Association, Hawaiian Kennel Club, Animal Rights Hawaii, and numerous individuals testified in support of this measure. Several individuals testified in opposition to this measure. The Board of Veterinary Examiners and a few individuals provided comments.

Your Committee notes that consideration of further protections for pet animals may be warranted, such as requiring all persons not licensed to practice veterinary medicine to contact a licensed veterinarian 24 hours prior to conducting any surgical procedure on a pet animal. Should the Committee on Judiciary hear this measure, your Committee respectfully requests that these additional protections be considered.

Your Committee has amended this measure by:

- (1) Allowing persons, not licensed to practice veterinary medicine and residing in counties with a population of less than 500,000, to conduct tail docking and dewclaw removal procedures on pet animals within five days of the pet animal's birth;
- (2) Clarifying provisions relating to the prohibition against announcing, advertising, or otherwise holding oneself out to be a practitioner of veterinary medicine without having a valid unrevoked veterinary license;
- (3) Changing its effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 8, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 8, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



