

Honolulu, Hawaii

APR 29 2016

RE: S.B. No. 2512
S.D. 1
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2512, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ANIMALS,"

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 increase penalties and establish fines for animal desertion, except where the animal is released as part of a game management program.

Your Committee on Conference finds that thousands of animals, primarily dogs and cats, are abandoned across Hawaii every year, contributing to increased animal control costs, animal suffering and overpopulation, increased euthanasia rates at local animal shelters, and possible harm to native wildlife. Your Committee on Conference further finds that stronger penalties for animal desertion would encourage pet owners to work with local shelters and animal control contractors when a pet must be re-homed, strengthen pet retention



and the human-animal bond, and protect pet owners and the animals themselves.

Your Committee on Conference emphasizes that this measure is not intended to apply to the release of animals as part of a designated population management program.

Your Committee on Conference has amended this measure by:

- (1) Moving language that would have amended section 143-2.6, Hawaii Revised Statutes, relating to animal desertion, to a new section under chapter 711, Hawaii Revised Statutes, relating to offenses against the public order, to establish the offense of pet animal or equine animal desertion;
- (2) Deleting language that would have exempted the release of an animal as part of a population management program from the offense of animal desertion;
- (3) Replacing the term "animal" with "pet animal", which is defined in section 711-1100, Hawaii Revised Statutes, as "a dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds (passeriformes, piciformes, and psittaciformes only) so long as not bred for consumption";
- (4) Including the term "equine animal", which is defined in section 711-1100, Hawaii Revised Statutes, as "an animal of or belonging to the family Equidae, including horses, ponies, mules, donkeys, asses, burros, and zebras";
- (5) Clarifying that desertion of a pet animal or equine animal is a petty misdemeanor subject to a fine not exceeding \$1,000 and recklessly causing the death of or substantial bodily harm to a pet animal or equine animal as a result of desertion is a misdemeanor subject to a fine not exceeding \$2,000;
- (6) Clarifying that each pet animal or equine animal that is deserted or suffers death or substantial bodily injury as a result of desertion constitutes a separate offense;
- (7) Inserting a definition of the term "desert" to mean to leave without the intent to return;
- (8) Making it effective upon its approval; and



- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2512, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2512, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

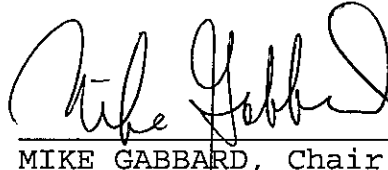


KARL RHOADS, Co-Chair

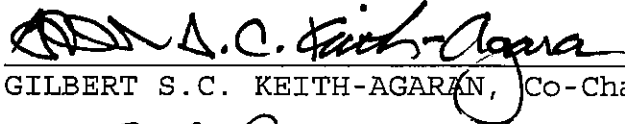


SCOTT Y. NISHIMOTO, Co-Chair

ON THE PART OF THE SENATE



MIKE GABBARD, Chair



GILBERT S.C. KEITH-AGARAN, Co-Chair



GIL RIVIERE, Co-Chair



Hawaii State Legislature

CUR 117-16

**Record of Votes of a
Conference Committee**

Bill / Concurrent Resolution No.:
SB 2512, SD 1, HD 2

Date/Time: ^{AK} **4-29-16. 5:46**

The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

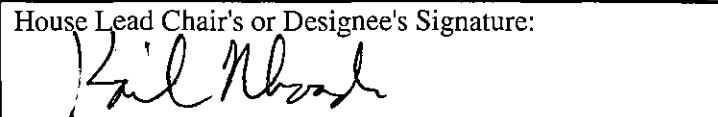
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
GABBARD, Mike, Chr.	✓				RHOADS, Karl, Co-Chr.	✓			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓				NISHIMOTO, Scott Y., Co-Chr.	✓			
RIVIERE, Gil, Co-Chr.	✓				BROWER, Tom	✓			
SLOM, Sam				✓	MCDERMOTT, Bob				✓
TOTAL	3	0	0	1	TOTAL	3	0	0	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


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