

STAND. COM. REP. NO.

2607

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2113
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 2113, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANIMALS,"

beg leave to report as follows:

The purpose and intent of this measure is to prohibit manufacturers and contract testing facilities in Hawaii from using animal test methods for the purpose of testing cosmetics or household products if an alternative testing method is available.

Your Committees received testimony in support of this measure from the Humane Society of the United States and six individuals. Your Committees received testimony in opposition to this measure from the Hawaii Cattlemen's Council, Inc. Your Committees received comments on this measure from the University of Hawaii System.

Your Committees find that the trend among manufacturers of cosmetics and household products is to utilize testing methods that do not involve animals. Many alternatives to animal testing exist that are cheaper, faster, and better able to predict human reactions. Your Committees find that Hawaii should lead by example and prohibit manufacturers from using animal testing methods for cosmetics and household products when alternative methods are available, though your Committees realize that potential issues of enforceability may arise.



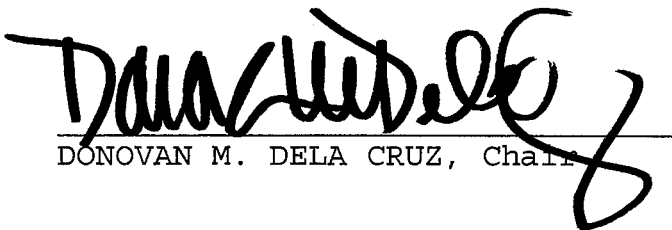
Your Committees express concern that the exclusive remedy allowed by this measure lies with the Department of the Attorney General. Because the definition of an acceptable "alternative method" in this measure includes use of fewer animals or methods that cause "less suffering" to animals already being tested, the Department of the Attorney General is therefore required to engage in case-by-case analysis of whether certain testing techniques are most appropriate for certain cosmetics or products. Your Committees doubt that, as written, even with use of costly outside investigatory resources, the Department of the Attorney General would be able to consistently and meaningfully enforce this measure.

Your Committees have amended this measure by:

- (1) Revising its legislative findings;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2113, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2113, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,


DONOVAN M. DELA CRUZ, Chair


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

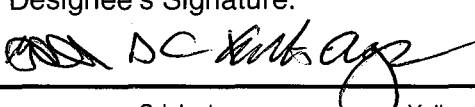
Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2113, SDI	AEN/CPH, JDC/WAM	2/23/18		
<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
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	-			
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
TOTAL	4	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB2113, SD1	Committee Referral: AEN/CPH, JDC/WAM	Date: 2/23/18		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
GALUTERIA, Brickwood	X			
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KIDANI, Michelle N.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.				X
WAKAI, Glenn				X
TOTAL	8			3
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				

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