

STAND. COM. REP. NO.

923

Honolulu, Hawaii

MAR 01 2019

RE: S.C.R. No. 9
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Human Services and Judiciary, to which was referred S.C.R. No. 9 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO EXAMINE THE IMPLEMENTATION OF ACT 217, SESSION LAWS OF HAWAII 2018, REGARDING MISREPRESENTATION OF SERVICE ANIMALS,"

beg leave to report as follows:

The purpose and intent of this measure is to request the Department of Human Services to examine the implementation of Act 217, Session Laws of Hawaii 2018 (Act 217), regarding the misrepresentation of service animals.

Your Committees received testimony in support of this measure from the O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i. Your Committees received comments on this measure from the Department of Human Services and Hawai'i Civil Rights Commission.

Your Committees find that fraudulent misrepresentation of pets and untrained animals as service animals is harmful to persons who legitimately rely on service animals. Act 217 established a civil penalty for knowingly misrepresenting an animal as a service animal. Your Committees further find that there are questions about the practical enforcement of that civil penalty. As such, your Committees find that the Department of



Human Services, in consultation with the Hawai'i Civil Rights Commission and the Disability and Communication Access Board, should examine the implementation of the prohibition so that places of accommodations and the public may understand how Act 217 applies to them.

Your Committees note that according to the testimony from the Department of Human Services, a public outreach campaign may be the best way to educate places of accommodations as well as the public as to the important work that legitimate service animals do and why it is important for service animals to assist their owners.

Accordingly, your Committees have amended this measure by requesting the Department of Human Services to develop a public outreach campaign.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 9, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 9, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Judiciary,



KARL RHOADS, Chair



RUSSELL E. RUDERMAN, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

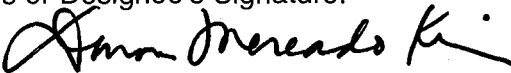
Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SCR 9	Committee Referral: HMS/JDC	Date: 2/20/2019		
<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
RUDERMAN, Russell E. (C)	✓			
RHOADS, Karl (VC)	✓			
IHARA, Jr., Les	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:right; font-family: cursive; font-size: 1.2em;">Karl Rhoads</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

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SCR 9	HMS/JDC	2-20-2019
<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	
RHOADS, Karl (C)	/	
WAKAI, Glenn (VC)		/
GABBARD, Mike		/
KIM, Donna Mercado	/	
FEVELLA, Kurt	/	
TOTAL	3	2
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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