

Honolulu, Hawaii

APR - 2 2019

RE: H.B. No. 200
H.D. 2
S.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 200, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit specified trolleys, pulleys, cables, or running lines designed to attach a dog to two stationary objects that endanger, or deny sustenance to, a dog; and
- (2) Provide an affirmative defense for tethering a dog under the age of six months under certain circumstances.

Your Committee received testimony in support of this measure from the Humane Society of the United States, West Hawaii Humane Society, Hawaiian Humane Society, and thirty-eight individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that constant and improper tethering or chaining puts the tethered or chained dogs' health and safety at risk. Your Committee further finds that vagueness in existing law makes it difficult for law enforcement officers to take action



before an improperly tethered or chained dog has suffered serious injury or death. This measure establishes clear guidelines for dog owners and law enforcement officers for what constitutes proper tethering.

Your Committee has amended this measure by:

- (1) Clarifying the preamble to more accurately reflect its intended purpose;
- (2) Clarifying that trolley, pulley, cable, or running line tethers are prohibited if they are in a configuration that endangers a dog, including preventing the dog from obtaining necessary sustenance;
- (3) Removing the affirmative defense for tethering a dog under the age of six months under certain circumstances;
- (4) Specifying that tethering or restraining any dog using a tow or log chain if the size or weight of the tow or log chain inhibits the free movement of the dog is prohibited;
- (5) Expanding the allowable uses of choke collars, pinch collars, or prong collars to activities supervised by a dog's owner or agent of the dog's owner; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 H.B. No. 200, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 200, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.



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

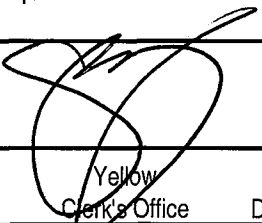
Karl Rhoads

KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB200, HD2	Committee Referral: JDC	Date: 3/19/19		
<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	4	0	0	1
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				

*Only one measure per Record of Votes