STAND. COM. REP. NO. 82

Honolulu, Hawaii

MAR 0 5 2021

RE: S.B. No. 969 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and Judiciary, to which was referred S.B. No. 969, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANIMAL FUR PRODUCTS,"

beg leave to report as follows:

The purpose and intent of this measure is to prohibit the manufacture for sale, offer for sale, display for sale, sale, trade, or distribution of certain animal fur products in the State.

Your Committees received testimony in support of this measure from Fur Free Alliance; Animal Defenders International; InStyle; Inditex S.A.; Humane Society Veterinary Medical Association; In Defense of Animals; Project Coyote; Humane Society of the United States; Humane Society Veterinary Medical Association; Stella McCartney, Ltd.; Animal Legal Defense Fund; People for the Ethical Treatment of Animals; Advanced Pacific; Leilani Farm Sanctuary; Neighborhood Cats; H&M; and twenty-nine individuals. Committees received testimony in opposition to this measure from Retail Merchants of Hawaii and two individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs and one individual.

Your Committees find that the fur industry can be cruel, and studies have shown that it presents high climate and environmental costs, with significant emissions and land use requirements, and

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air and water pollutants emanating from animal waste and chemical processes. The coronavirus disease 2019 further exposed the fur industry as a serious contagion risk and has underscored the need for transformational change in the way humans trade in, consume, impact, and too often abuse nature. Due to technological advances in fabrications, designers are now able to create a luxe aesthetic using non-animal fur. Therefore, this measure allows Hawaii to be among the leaders in ending fur sales.

Your Committees further find the prohibition on the manufacturing and sale of fur products would benefit from a more phased-in approach, similar to how the State has handled the ban on the sale of certain sunscreens. By first prohibiting the manufacture and importation of certain animal fur products in the State, then later banning the sale of those items, retailers and suppliers can have a window of time to sell current inventories, thereby preventing any unnecessary waste. Amendments to this measure are therefore necessary to address these issues. Your Committees further note that this measure exempts leather and certain fur products from livestock animals that have been a part of Hawaii's landscape for a very long time.

Your Committees have amended this measure by:

- Clarifying the definition of "fur" to mean any animal (1) skin with hair, fleece, or fur fibers attached, either in its raw or processed state, including mink and other non-native species;
- (2) Clarifying the definition of "director" to mean the Director of Agriculture, rather than the Director of Commerce and Consumer Affairs;
- (3) Specifying that, beginning July 1, 2021, it shall be unlawful to manufacture fur products in the State, or import fur products into the State, for the purposes of sale;
- (4)Specifying that, beginning December 1, 2021, it shall be unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration, a fur product in the State;

- (5) Inserting language requiring the Department of Agriculture, Department of Commerce and Consumer Affairs, and Department of the Attorney General to collaborate and to develop and disseminate informational documents to educate and inform retail merchants and suppliers of the provisions of this measure;
- (6) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (7) 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 Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 969, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 969, S.D. 2.

> Respectfully submitted on behalf of the members of the Committees on Commerce and Consumer Protection and Judiciary,

KARL RHOADS, Chair

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Commerce and Consumer Protection CPN

Bill / Resolution No.:*	Committee Referral: Da									
SB969 5D1	AEN, CPN/JDC 02/24/2021									
The Committee is reconsidering its previous decision on this measure.										
If so, then the previous decision was to:										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye	Aye (WR)	Nay	Excused					
BAKER, Rosalyn H. (C)										
CHANG, Stanley (VC)										
MISALUCHA, Bennette E.		/								
NISHIHARA, Clarence K.		/								
RIVIERE, Gil			/							
SAN BUENAVENTURA, Joy A	١.	1								
FEVELLA, Kurt										
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Recommendation: Adopted Not Adopted										
Chair's or Designee's Signature: Clarence & Riskihare										
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*Only one measure per Record of Votes

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:		Date:						
SB 969 SD 1	AEN,	N, CPN/JOC G2/			/ 24/2021				
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (W	R) N	lay	Excused			
RHOADS, Karl (C)		V			_				
KEOHOKALOLE, Jarrett (VC)		V							
ACASIO, Laura		V							
GABBARD, Mike		V							
KIM, Donna Mercado		V							
LEE, Chris		V							
FEVELLA, Kurt	_	V	↓						
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Recommendation: Adopted Not Adopted									
Chair's or Designee's Signature:									
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^{*}Only one measure per Record of Votes