

STAND. COM. REP. NO. 283

Honolulu, Hawaii

FEB 17 2011

RE: S.B. No. 1522  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1522 entitled:

"A BILL FOR AN ACT RELATING TO DOGS,"

begs leave to report as follows:

The purpose and intent of this measure is to establish licensure and regulatory requirements for large-scale dog breeding operations.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, The Humane Society of the United States, Hawaiian Humane Society, West Hawaii Humane Society, Student Animal Legal Defense Fund, Molokai Advertiser-News, Poi Dogs and Popoki, Boxer Club of Hawaii, and one thousand thirty-two private individuals. Your Committee received testimony in opposition to this measure from the American Kennel Club and twenty-five private individuals. Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that dog breeding is currently unregulated in Hawaii. Further, while animal cruelty laws do exist, they are insufficient to allow for effective enforcement, particularly since current law does not allow entry onto property for investigation of suspected violations. Your Committee finds that unscrupulous breeding programs not only harm breeding animals that are kept under inhumane conditions, but also produce puppies

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that are sold to unsuspecting consumers despite their unsuitability as pets due to health problems.

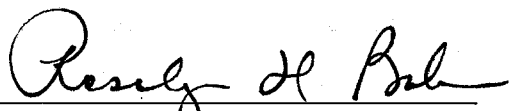
Your Committee notes that, since dog breeding is currently an unregulated industry, any measure to create a regulatory system for this activity is subject to a sunrise review by the State Auditor pursuant to section 26H-6, Hawaii Revised Statutes. Your Committee is mindful of this requirement, but nevertheless urges thoughtful consideration of this measure in order to present the Auditor with the opportunity for meaningful review of this important issue. Your Committee further notes that proponents of this measure have cited the law of the State of Wisconsin as a useful model for Hawaii to follow in regulating dog breeders. Your Committee respectfully requests that a sunrise review based on this measure also include consideration of the Wisconsin law and its potential applicability to Hawaii.

Your Committee has amended this measure by:

- (1) Inserting a provision to limit the total number of intact dogs owned or harbored by a licensee to fifty; and
- (2) 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1522, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1522, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1522	CPN, JDL	2-15-11		
<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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	6	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes