

Honolulu, Hawaii

FEB 18 2011

RE: S.B. No. 892  
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 Public Safety, Government Operations, and  
Military Affairs, to which was referred S.B. No. 892 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify state law regarding dog licensing to appropriately conform provisions applicable to service dogs with the Americans with Disabilities Act;
- (2) Conform state law relating to public conveyances to the Americans with Disabilities Act; and
- (3) Amend the definition of "service animal" and include "comfort animal" in state law provisions relating to Fair Housing Act requirements for non-discrimination in the sale or rental of housing.

Your Committee received testimony in support of this measure from one state agency, one entity, and six individuals. Your Committee received comments on this measure from one state agency and one individual.

The intent of your Committee is to conform Hawaii law to federal statutory and rule changes in the Americans with Disabilities Act. Conformity to federal law is necessary in this



area in order to facilitate assistance to persons with disabilities who use service or guide dogs.

Your Committee has amended this measure by:

- (1) Including various recommendations of the Disability and Communications Access Board, which specifically are to:
  - (A) Delete the definition of and reference to "service dog" under the issuance of license and dog tags statute;
  - (B) Delete rule-making authority of the Director of Finance with regard to the licensing of guide, signal, or service dogs and with regard to the visually handicapped law;
  - (C) Delete the definition of "comfort animal";
  - (D) Clarify the definition of "reasonable restriction" by deleting language describing certain restrictions on owners of service animals, guide dogs, or signal dogs under the discriminatory practices law; and
  - (E) Delete the definitions of "service animal" and "signal dog" under the discriminatory practices law; 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 Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 892, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 892, S.D. 1, and be referred to the Committee on Judiciary and Labor.



Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Government Operations, and  
Military Affairs,

*Will Espero*

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WILL ESPERO, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Government Operations, and**  
**Military Affairs**  
**PGM**

Bill / Resolution No.:* <b>SB 892</b>	Committee Referral: <b>PGM, JDL</b>	Date: <b>2-15-11</b>		
<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
ESPERO, Will (C)	/			
KIDANI, Michelle N. (VC)	/			
BAKER, Rosalyn H.	/			
RYAN, Pohai	/			
SLOM, Sam	/			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
<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