

STAND. COM. REP. NO.

772

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 1522

S.D. 2

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

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 1522, S.D. 1, 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 Humane Society of the United States, West Hawaii Humane  
Society, Boxer Club of Hawaii, The Oahu Society for the Prevention  
of Cruelty to Animals, the Hawaiian Kennel Club, and numerous  
individuals. Your Committee received testimony in opposition to  
this measure from the American Kennel Club and four 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  
that are sold to unsuspecting consumers despite their  
unsuitability as pets due to health problems.

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Your Committee recognizes 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 recognizes 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) Including "adequate rest between breeding cycles" among the requirements for humane breeding and defining that term;
- (2) Deleting language that would have authorized the Director of Commerce and Consumer Affairs to determine the specific amount of the civil penalty imposed upon a person who operates as a large-scale breeder without a license; and
- (3) 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 and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1522, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1522, S.D. 2.



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



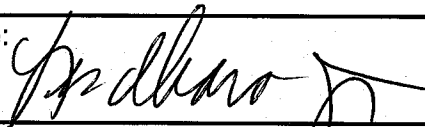
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CLAYTON HEE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB1522, SD1</b>	Committee Referral: <b>CPN, JDL</b>	Date: <b>3-1-11</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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)				✓
GABBARD, Mike	✓			
IHARA, Jr., Les		✓		
SLOM, Sam				✓
<b>TOTAL</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>2</b>
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