

SCR 183

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
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In reply, please refer to:
File:

**Committee on Energy and Environment
Committee on Health**

**SCR 183/SR 84, CONVENING A LEGISLATIVE NOISE POLLUTION TASK
FORCE TO REVIEW BEST PRACTICES FROM OTHER STATES IN
REDUCING URBAN NOISE POLLUTION.**

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

March 25, 2010

3:15 p.m.

1 **Department's Position:** The department respectfully opposes this measure. Establishment of the task
2 force would not be prudent at this time. We also note a reference that needs correction.

3 **Fiscal Implications:** Undetermined resources are required that are not in the current budget.

4 **Purpose and Justification:** The proposal establishes a legislative noise pollution task force to review
5 best practices from other states in reducing noise pollution. Members of the task force will be composed
6 of representatives from the Department of Health, Honolulu Police Department, Honolulu Liquor
7 Commission, Public Utilities Commission, affected groups and Legislators.

8 We appreciate the intent of the proposal to reduce urban noise pollution. However, our current
9 budget precludes the support required for the proposed task force. In addition, the department is already
10 challenged in carrying out their responsibilities due to the implementation of furloughs.

11 In the paragraph beginning, "Be It Further Resolved..." "Noise and Sanitation Branch" should
12 be corrected to read, "Indoor and Radiological Health Branch."

13 Thank you for the opportunity to testify on this measure.

THE SENATE
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2010

**Committee on Energy and Environment
Committee on Health
Testimony in Support of SCR 183 and SR 84**

**Thursday, March 25, 2010, 3:15 P.M.
Conference Room 225**

Chair Gabbard, Chair Ige and Members of the Committees:

I am Louis Erteschik, testifying as a private citizen in support of these Resolutions . I serve currently as the Vice Chair of the Waikiki Neighborhood Board; the President of the Waikiki Residents Association and Past President (current Vice President) of the AOA Hawaiian Monarch. I mention that because in those capacities I have acquired a fair amount of experience dealing with noise complaints from residents and constituents. I commend Senator Galuteria for introducing these measures because I feel they represent the type of comprehensive approach which is needed to address an issue of paramount importance in our urban communities.

As an example, the neighborhood adjacent to the Hawaiian Monarch represents a microcosm in and of itself of the types of issues that arise and is a veritable case study in competing uses of land and how regulations need to be developed to harmonize these uses in ways that create compatible living for neighbors. In our building itself we have a bar that is licensed to stay open until 4:00 A. M. and we also have a rental facility for automobiles and mini coupes. Across the street we have neighbors in low rise buildings that hear these sounds day and night. We have had many discussions with them and at the Neighborhood Board. We have enlisted the assistance of the Honolulu Police Department and the Department of Health. The end result of these discussions has been somewhat productive in terms of obtaining voluntary cooperation. However, it also has pointed out that these uses are all currently legal, despite how annoying they may be to all the neighbors who live in the immediate vicinity.

That is why this Task Force is such a good idea. It would be very instructive to engage stakeholders in the community to come together and address these issues, and develop solutions. I also support the idea of designating the legislature to take the lead in

convening this Task Force. First, I note that noise bills have not generally been successful in the past during the legislative sessions. I believe it would be helpful for legislators to see first hand the complexities of the issue. Second, I have seen too many Task Forces created where the lead agency was designated within the Executive Branch and essentially little action was taken. I have much more faith that the Task Force will yield productive results if it is convened by the Legislature itself.

Thank you for the opportunity to testify in support of these measures.

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**THE SENATE
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2010**

**Committee on Energy and Environment
Committee on Health
Testimony in Support of SCR 183 and SR 84**

**Thursday, March 25, 2010, 3:15 P.M.
Conference Room 225**

Chair Gabbard, Chair Ige and Members of the Committees:

I am Robert Finley and while I am the Chair of the Waikiki Neighborhood Board and we have not had the opportunity to discuss and vote on SCR 183 and SR 84 I have over the past decade listened to our neighbor's concerns about noise in Waikiki.

Most bills presented at the Legislature have been defeated, are not really enforceable by HPD and even if an arrest is made most times the Honolulu Prosecutor is unable to take action due to prior Court decisions or lack of multiple witnesses.

Waikiki represents a unique noise situation. We have about 175,000 visitors, residents and our Military Hero's in our little one point five mile area that features noise reflecting concrete. There are no simple solutions that do not impact personal freedoms and do not impact the Visitor Industries ability to generate tax dollars for the State of Hawaii.

As a concerned citizen I support SCR 183 and SC 84, which I hope, will be a low cost measure to provide the State and County with the basis for future legislation to reduce noise in Waikiki.

Thank you for the opportunity to testify in support of these measures.

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