



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Committee on Judiciary

**H.B. 2749, H.D. 1, RELATING TO ALLOWING DOGS
IN RESTAURANTS**

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

**February 23, 2012
2:00 p.m.**

1 **Department's Position:** The Department of Health would like to suggest some amendments to this bill.

2 **Fiscal Implications:** None.

3 **Purpose and Justification:** This bill gives the authority to the owner or manager of a restaurant to
4 allow pet dogs into a restaurant. The Council on Food Protection meets biennially to address current
5 food science and technology and incorporates that information into what is known as the U.S. Public
6 Health Service FDA Model Food Code (Food Code). The Food Code currently prohibits live animals
7 on the premises of a food establishment.

8 Some localities in the United States have not adopted the Food Code animal prohibition and
9 allow pets in restaurants.

10 Prior to adopting this bill, the department recommends the incorporation of the following
11 provisions:

12 1) A restaurant that permits dogs shall post prominently at each entrance a sign displaying the
13 message, "Dogs are allowed in this establishment and may place you at greater risk of
14 contracting a food borne illness"; and

- 1 2) A restaurant that permits dogs shall have personal hygiene procedures in place to ensure that
2 restaurant employees assigned to clean up feces, urine, vomitus, or any other bodily fluids from
3 dogs shall thoroughly wash and sanitize their hands up to their elbows prior to returning to any
4 food preparation, or the cleaning and handling of any food equipment or utensils.
5 Thank you for the opportunity to testify.



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

February 23, 2012

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

House Bill 2749, HD1 – Relating to Allowing Dogs in Restaurants

The Disability and Communication Access Board (DCAB) takes no position on this measure but wishes to provide comments.

DCAB's mission is to provide technical assistance related to accessibility for individuals with disabilities to private business, regarding programs and services per the Americans with Disabilities Act, Title III. The underlying purpose of this bill is restaurant owners and managers, at their discretion, to permit dogs inside a restaurant, under certain conditions.

Service animals (dogs) are trained to assist persons with disabilities to perform tasks that the person cannot do due to his or her disability. Service animals are also trained to interact appropriately in a public place to ensure the person with a disability may be as independent as possible. Dogs that are pets are not always trained to interact well in a public setting with other dogs. Thus, our concern is that an untrained pet dog could behave inappropriately and cause harm to a service animal. If this occurs and the service animal is attacked and unable to assist the individual with a disability, then his or her independence in the community is compromised.

If the bill is advanced, DCAB suggests that the same reasonable restrictions of behavior required of a service animal be required on other dogs. If another dog harms a service animal, the dog owner shall be held responsible for costs associated with injury caused to the service animal.

Thank you for the opportunity to offer comments.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG
Chairperson

FRANCINE WAI
Executive Director



HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 23, 2012
2:00 p.m.
Conference Room 329

To: The Honorable Gilbert Keith-Agaran, Chair
and Members of the House Committee on Judiciary

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai'i Civil Rights Commission

Re: H.B. No. 2749, H.D.1

The Hawai'i Civil Rights Commission (HCRC) has enforcement jurisdiction over state laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai'i constitutional mandate that "no person shall be discriminated against in the exercise of their civil rights because of race, religion, sex or ancestry". Art. I, Sec. 5.

H.B. No. 2749, H.D.1 authorizes restaurant owners and managers, at their discretion, to permit dogs inside restaurants with specific conditions. The HCRC takes no position on the bill with regard to whether restaurant owners and managers should be allowed, at their discretion, to permit dogs inside restaurants and supports the clarification in H.D.1 that nothing in the new section added to H.R.S. chapter 321 shall diminish the rights of disabled persons to request and obtain reasonable accommodations needed for equal enjoyment of public accommodations under H.R.S. chapter 489.



improving the quality of lives of pets and their people.

Testimony from
Alicia Maluafiti, President, Poi Dogs & Popoki

Strong Support of HB 2749 HD 1 – Relating to Allowing Dogs in Restaurants

The House Committee on Judiciary
Thursday, February 23, 2012 - Room 325, 2:00 p.m.

Aloha Chair Keith Agaran, Vice Chair Rhoads and members of the Committee,

My name is Alicia Maluafiti and I am the President of Poi Dogs & Popoki (PDP), a local nonprofit helping people and their pets with the cost of caring for their pets. PDP is in strong support of HB 2749 HD1 which authorizes restaurant owners to allow dogs in restaurants.

On a recent trip to Oregon, we walked to a neighborhood microbrew pub – The Lucky Lab - to enjoy some pupu and drinks. It turned out to be a pet-friendly restaurant (I suppose I should've figured that based on the name). The tables were a little more spread out than traditional restaurants to allow for the dogs. Most pet owners had very well behaved dogs (a few whiners) and each dog had a little doggie bed to lie on as well as a bowl of water. The menu offered doggie items for purchase in addition to the human choices. And not a person would walk by a dog without making some sort of comment: "What a nice dog....", "What a pretty dog....", "What a well trained dog...." The discourse at this pub was one that I hadn't experienced and there was an elevated expectation to act responsibly since there were four-legged friends in the room.

Although we weren't accompanied by a dog, the first thing my brother thought was "I wish I had a dog." And that is exactly why these types of pet-friendly policies that change our traditional social and cultural traditions are so important to the next generation of families raised in Hawaii. If we want to change the mindset of people that pets are not commodities, then we need demonstrate and embrace more opportunities to elevate their standing as members of our ohana and ensure that we have places and spaces to include them in our lives.

Going for a walk with your dog in Kailua or Kaimuki or Kapolei is accepted today – and even expected in some areas. Going for a walk and then stopping for a cup of coffee or lunch or even a drink could one day be a normal part of our everyday lives. Food, fun and families. This bill allows our pets to join us in a way that changes our communities and encourages social interaction between neighbors who may have little else in common.....except the love for their pet(s).

Mahalo for the opportunity to testify in support of HB 2749.

Testimony for HB2749 on 2/23/2012 2:00:00 PM

Testimony for HB2749 on 2/23/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Thursday, February 23, 2012 8:57 AM

To: JUDtestimony

Cc: jawrin@gmail.com

Testimony for JUD 2/23/2012 2:00:00 PM HB2749

Conference room: 325

Testifier position: Oppose

Testifier will be present: Yes

Submitted by: JONE R. AUGUSTIN

Organization: Individual

E-mail: jawrin@gmail.com

Submitted on: 2/23/2012

Comments:

Please, please vote no to allow dogs in restaurants! This is not only a health hazard, but extremely difficult to control, and different dogs will act differently with other dogs there! Please oppose this bill.

Jone Augustin