



AMERICAN  
KENNEL CLUB®

February 5, 2014

The Honorable Clift Tsuji, Chair EDB Committee  
The Honorable Della Au Belatti, Chair HLT Committee  
Members of the House Committee on Economic Development & Business  
Members of the House Committee on Health

RE: Support H.B. 186

Dear Representative Tsuji, Representative Belatti, and Committee Members,

On behalf of responsible dog owners in Hawaii, the American Kennel Club (AKC) writes in support of H.B. 186, which seeks to authorize a restaurant or bar to permit pets inside the establishment subject to specified conditions.

We believe this measure is consistent with the AKC's Core Values, which include:

- We cherish dogs as companions
- We are committed to the interests of dog owners

We commend Representatives Evans, Awana, Carroll, Lowen, and McKelvey for their sponsorship of H.B. 186.

Sincerely,

Sheila Goffe  
Director of Government Relations

*The American Kennel Club supports the humane treatment of dogs, including providing an adequate and nutritious diet, clean living conditions, regular veterinary care, kind and responsible human companionship, and training in appropriate behavior. The AKC supports reasonable and enforceable laws that protect the welfare and health of dogs without restricting the rights of owners and breeders who properly maintain their dogs.*



February 5, 2014

## **Testimony in Support of HB 186**

Rep. Clift Tsuji, Rep. Della Au Belatti, and members of the House Committees on Economic Development and Business and Health:

The Pacific Pet Alliance is a Hawai'i non-profit organization that promotes responsible pet ownership through education and advocacy.

Dogs and cats are an integral part of our daily lives. More and more Hawai'i residents are sharing their lives with these companion animals. Throughout much of the world pets are permitted to accompany their owners and handlers in public accommodations such as restaurants and bars. So long as the pets don't threaten the health or safety of the public, and remain in the control of their owners/handlers, there is no justification for excluding them from our company.

We would encourage all pet owners to be responsible by engaging their dogs in obedience training and making sure they are housebroken. We also respect the right of restaurant owners to decide if they will offer this option .

The Pacific Pet Alliance respectfully asks this Honorable Committee to adopt HB 186 in its current form.

Respectfully submitted,

**PACIFIC PET ALLIANCE**

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Lynn Muramaru, President

**ward2-Robin**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 05, 2014 8:24 AM  
**To:** edbtestimony  
**Cc:** igibson@hsus.org  
**Subject:** Submitted testimony for HB186 on Feb 7, 2014 11:15AM

**Follow Up Flag:** Follow up  
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**HB186**

Submitted on: 2/5/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Inga Gibson	The Humane Society of the US-Hawaii	Support	Yes

Comments: Dear Chair Tsuji, Vice-Chair Ward and EDB Committee members, We support HB186 to allow restaurant managers and owners the discretion to allow dogs in appropriate areas of restaurants, such as outdoor dining areas and lanai's. This measure helps to increase the human animal bond, increases dog owner responsibility and the care of dogs as pets and family members. Dozens of cities across the country have long allowed well-mannered pets in restaurants without incident. Thank you for the opportunity to testify in support of HB186. Inga Gibson Hawaii Director The Humane Society of the United States

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## HAWAII RESTAURANT ASSOCIATION

2909 Waialae Avenue #22  
Honolulu, Hawaii 96826  
www.hawaiirestaurant.org

Phone: (808) 944-9105  
Fax/Toll Free: (877) 494-3245  
Info@HawaiiRestaurant.org

**DATE:** February 5, 2014  
**TO:** Committee on Health  
**FROM:** Roger Morey, Executive Director  
**RE:** Opposition to HB186 Relating to pets allowed in restaurants

The Hawaii Restaurant Association opposes this bill.

The health implications alone are serious enough to forego this measure. Inevitably, pets will have accidents and restaurants owners will be put in the position of cleaning and then sanitizing the area – certainly, the inherent health liability would not allow them to rely on the customer to do so.

Additionally, there is the ever-growing list of allergies that we all must deal with (and in many instances allergies previously unknown). The exposure to pet dander and other allergens is a serious health issue and – in this instance – would put some adults and children at risk.

Further, while the bill defines “pets” as dogs and cats it seems a short step to allow other pets, including pet turtles, pet lizards, pet ducks, pet chickens, etc. The first two noted, turtles and lizards, are well documented (by the Center for Disease Control) as carriers of Salmonella.

Finally, the bill allows pets at the discretion of the owner or manager. However, there should not be different laws for different restaurants. That seems fundamentally unfair. A restaurant that could be known as “pet-friendly” would have an advantage over other restaurants – at the cost of health and safety.

Respectfully submitted,

**ward2-Robin**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 04, 2014 12:45 PM  
**To:** edbtestimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for HB186 on Feb 7, 2014 11:15AM\*

**Follow Up Flag:** Follow up  
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**HB186**

Submitted on: 2/4/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Oppose	No

**Comments:**

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**ward2-Robin**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 05, 2014 7:27 AM  
**To:** edbtestimony  
**Cc:** sugarmamas67@gmail.com  
**Subject:** Submitted testimony for HB186 on Feb 7, 2014 11:15AM

**Follow Up Flag:** Follow up  
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**HB186**

Submitted on: 2/5/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Katrina Perez	Individual	Oppose	No

Comments: Tell these pet owners to get a babysitter for their pet. I would not go to a restaurant that allows patrons to bring their pets!!

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**ward2-Robin**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 06, 2014 2:31 PM  
**To:** edbtestimony  
**Cc:** cathyg@animalrightshawaii.org  
**Subject:** Submitted testimony for HB186 on Feb 7, 2014 11:15AM

**HB186**

Submitted on: 2/6/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Animal Rights Hawai'i	Support	No

Comments: We suggest deleting the language requiring a restaurant to post an inflammatory statement regarding possible disease.

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

In reply, please refer to:  
File:

**Committee on Economic Development & Business**

**Committee on Health**

**HB 186, RELATING TO PETS IN RESTAURANTS AND BARS**

**Testimony of Gary L. Gill  
Acting Director of Health**

**February 7, 2014  
11:15 a.m.**

1 **Department's Position:** The department respectfully opposes this bill.

2 **Fiscal Implications:** None.

3 **Purpose and Justification:** We oppose this bill because it gives the authority to the owner or manager  
4 of a restaurant to allow pet dogs into a restaurant and describes conditions for the owner to control the  
5 dogs, but does not address some important public health concerns. Public health considerations is the  
6 primary reason the Department of Health promulgates rules. The forum that addresses public health  
7 concerns in the United States is called the Council on Food Protection. The Council is composed of  
8 representatives from the food industry as well as state and federal regulators that meets biennially to  
9 address current food science and technology and incorporates that information in what is known as the  
10 U.S. Public Health Service FDA Model Food Code (Food Code). The Food Code prohibits live animals  
11 on the premises of a food establishment. The reason for the prohibition as explained in "Annex of the  
12 2009 Food Code" is as follows: "Animals carry disease-causing organisms that can be transmitted to  
13 humans through direct and or indirect contamination of food and food contact surfaces. Animals shed



1 hair continuously and may deposit liquid or fecal waste, creating the need for vigilance and more  
2 frequent and rigorous cleaning efforts.” The Food Code does acknowledge that there are situations in  
3 which animals do not pose a potential public hazard and makes provisions for service dogs, as well as in  
4 cases of law enforcement. It is very important that the public is made aware that they are being placed  
5 at a greater risk of contracting food borne illnesses if animals are readily allowed in close proximity with  
6 food preparation employees and food preparation areas. Restaurant employees might track animal feces,  
7 urine and other animal body fluids back into the restaurant’s food preparation areas, thereby increasing  
8 the risks of pathogens being introduced into the restaurant’s food supplies or deposited on food  
9 equipment or utensils. Aerosolizing of bacteria or viruses may readily occur in the food preparation  
10 areas during normal food service operations.

11 The Department of Health has completed public hearings on December 2-6, 2013 for the  
12 finalized version of Chapter 50, the new rule for food establishments. It addresses the issue of animals  
13 in restaurants as stated in the 2009 Food Code. In the future, if the Council on Food Protection approves  
14 conditions in which dogs can safely be allowed in dining areas, the Department of Health would  
15 consider amending the food rules or implement policies to make the practice acceptable.

16 The department has major concerns with this bill which places the responsibility on the  
17 restaurant for ensuring that animal waste is not tracked into the food preparation area, and that the  
18 restaurant has proper cleaning and disinfection protocols to deal with animal waste products inside and  
19 outside the food preparation area.

20 The department also has concerns that a statute is proposed when HRS has already established  
21 as the vehicle to regulate industry. The department recommends working with lawmakers and  
22 proponents to amend HAR rather than introducing legislation which may conflict or be inconsistent with  
23 HAR already adopted.

24 Thank you for the opportunity to testify.



**Hawaiian Humane Society**  
*People for animals. Animals for people.*

2700 Waiialae Avenue Honolulu, Hawaii 96826  
808.946.2187 • hawaiianhumane.org

February 7, 2014

The Honorable Clift Tsuji, Chair  
Committee on Economic Development & Business  
The Honorable Della Au Belatti, Chair  
Committee on Health  
Hawaii State Capitol  
415 South Beretania Street

RE: Testimony in Strong Support of HB 186 Relating to Pets in Restaurants and Bars

Thank you for the opportunity to testify on House Bill 186 Relating to Pets in Restaurants and Bars. I am Mary Steiner, Policy Advocate for the Hawaiian Humane Society.

House Bill 186 gives restaurants owners or managers the choice to allow pets in their establishments. We strongly support this measure for many reasons.

Sixty percent of Oahu's households have a pet and dog ownership in Honolulu has doubled over the last 20 years. Harris Neilson conducted a nation-wide poll three years ago and the results showed that that 91% of owners considered pets as a member of the family. Further, Neilson's research shows that spending time with pets can have various positive health benefits to people including helping to relieve stress and anger.

Pet owners in Hawaii are looking for opportunities to spend quality time with their animals. They take them to the beach, socialize them in dog parks, travel together and bring them to restaurants. This is why we see more pet friendly beaches, dog parks and hotels willing to accommodate dogs. Other jurisdictions across the US and in Europe already allow dogs that are under the control of their owner. There are very few reports of dogs behaving badly.

House Bill 186 offers more opportunities for our hardworking residents to spend time with their pets.

The Hawaiian Humane Society agrees that owners must be responsible and that the pet must be under the control of its owner on a leash at all times. We also agree that the establishment owner/manager should be able to ask an irresponsible pet owner to leave or to refuse admittance.

We would like to offer some amendments to both clarify and strengthen the bill:

- We do not agree with section (c) regarding the signage requirements. Other jurisdictions call for announcing signs allowing dogs in the establishment as HB 186 does. We agree with that.

However, we recommend deleting the sentence that reads, "The presence of pets in the establishment may place you at a greater risk of contracting a food borne illness." This seems inflammatory and restaurant employees who are instructed on proper sanitation protocol including hand washing should not be any more at risk of spreading food borne illness than otherwise.

- The definition of "pet" on page 3 in HB 186 conflicts with Hawaii Revised Statutes §711-1100 which defines pet animal as a "dog, cat, domesticated rabbit, guinea pig, domesticated pig, or caged birds so long as not bred for consumption." We would suggest amending the language to specify cat and dog and not to redefine pet.
- The definition of "restaurant" on page 3 indicates that it a place where food is consumed but excludes buffets and where customers predominately serve themselves. Again, we caution against creating new definitions. Additionally, we do not understand or agree with excluding buffet restaurants from this proposal.

On behalf of the Hawaiian Humane Society, I would like to thank you for your consideration and urge you to pass an amended version of HB 186.

**ward2-Robin**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 06, 2014 4:43 PM  
**To:** edbtestimony  
**Cc:** lorraine.shaughnessy@gmail.com  
**Subject:** \*Submitted testimony for HB186 on Feb 7, 2014 11:15AM\*

**HB186**

Submitted on: 2/6/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lorraine Shaughnessy	Individual	Support	No

Comments:

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**Sent:** Thursday, February 06, 2014 4:45 PM  
**To:** edbtestimony  
**Cc:** christinakyk@gmail.com  
**Subject:** \*Submitted testimony for HB186 on Feb 7, 2014 11:15AM\*

**HB186**

Submitted on: 2/6/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christina Kam	Individual	Support	No

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**Sent:** Thursday, February 06, 2014 5:53 PM  
**To:** edbtestimony  
**Cc:** lisaefowler@aol.com  
**Subject:** \*Submitted testimony for HB186 on Feb 7, 2014 11:15AM\*

**HB186**

Submitted on: 2/6/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Fowler	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 06, 2014 9:32 PM  
**To:** edbtestimony  
**Cc:** lightwave7@hotmail.com  
**Subject:** Submitted testimony for HB186 on Feb 7, 2014 11:15AM

**HB186**

Submitted on: 2/6/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Genie Joseph	Individual	Support	No

Comments: Genie Joseph SUPPORTING HB 186 Committee on Economic Development & Business and Committee on Health Friday, February 7, 2014 @ 11:15 am Aloha, I work with veterans and active duty military who have companion dogs to help them manage their stress and trauma. Being able to bring their companion dogs into selected restaurants can mean the difference between being trapped by their illness and being able to enjoy a normal life. I hope you will consider extending this right to those who have served their country -- as well as to anyone who wishes to bring a four-legged, well-behaved family member with them to a restaurant. Thank you so much for considering HB 186. Mahalo, Genie Joseph

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**Sent:** Thursday, February 06, 2014 10:23 PM  
**To:** edbtestimony  
**Cc:** mlmcd808@gmail.com  
**Subject:** Submitted testimony for HB186 on Feb 7, 2014 11:15AM

**HB186**

Submitted on: 2/6/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Martha L. McDermott	Individual	Support	No

Comments: Aloha, I wish there were pet-friendly establishments on island where I could take my 10-year old dog with me. He is a calm, gentle, senior dog who enjoys people and being able to go places with me. Although he is technically not a service dog, he is a very stabilizing force in my life and has been for his whole life. As my brother has said, he has helped me through some very rough times in my life, including the recent death of my hanai grandfather who loved my dog greatly and vice-versa. It's hard to travel by car with my dog since I can't leave him in the car while doing errands because of the heat, so having him be able to escort me into a cafe or restaurant seems so logical. I also notice he is a calming presence to others as well as to me. His gentle demeanor has a positive effect on those around him, including bringing smiles to those who are in a bad mood or otherwise burdened. Please consider allowing calm and gentle dogs into restaurants or cafes with their owners so we can both enjoy being out of the house and together. When I lived in Paris it was common practice for pet owners to have their dogs with them in cafes and I never once witnessed any problems; I thought it was such a civilized idea. Mahalo and aloha, Martha L. McDermott mother to Otis, Honolulu

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 07, 2014 6:34 AM  
**To:** edbtestimony  
**Cc:** metroben@me.com  
**Subject:** \*Submitted testimony for HB186 on Feb 7, 2014 11:15AM\*

**HB186**

Submitted on: 2/7/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ben Robinson	Individual	Oppose	No

Comments:

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**ward2-Robin**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 07, 2014 6:52 AM  
**To:** edbtestimony  
**Cc:** bonnieosaki@gmail.com  
**Subject:** Submitted testimony for HB186 on Feb 7, 2014 11:15AM

**HB186**

Submitted on: 2/7/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bonnie Oda	Individual	Support	No

Comments: Aloha, Sixty percent of Oahu's households have a pet and dog ownership in Honolulu has doubled over the last 20 years. Harris Neilson conducted a nation-wide poll three years ago and the results showed that that 91% of owners considered pets as a member of the family. Further, Neilson's research shows that spending time with pets can have various positive health benefits to people including helping to relieve stress and anger. Pet owners in Hawaii are looking for opportunities to spend quality time with their animals. They take them to the beach, socialize them in dog parks, travel together and bring them to restaurants. This is why we see more pet friendly beaches, dog parks and hotels willing to accommodate dogs. Other jurisdictions across the US and in Europe already allow dogs that are under the control of their owner. There are very few reports of dogs behaving badly. House Bill 186 offers more opportunities for our hardworking residents to spend time with their pets. Thank you, Bonnie Oda

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Madelyn Waddell  
Committee on Economic Development & Business and Committee on Health  
Friday, February 7, 2014  
HB 186

Aloha,

My name is Madelyn Waddell and I am an advocate for the Hawaiian Humane Society and am **FOR** House Bill 186 regarding Pets in Restaurants and Bars. My husband and I own two dogs and live in the Honolulu area. We do not have a yard and are not able to let our pets loose to play in the yard as we would like to. We take our pets (which we also consider our babies) everywhere we go. We have travelled to Italy and love the fact that restaurants and bars allow pets into their establishments as freely as any human being.

For people like myself, who do not have children (not by choice but because of medical reasons), we depend on these pets like they depend on us. We have them for companionship, to help relieve stress and anger. Pets are not only therapeutic but they also save lives and deserve to be treated with the utmost respect.

As an advocate, we do realize that there must be criteria that must be established in order to even consider this as well as health reasons for non-pet owners and understand that not all pets will be allowed.

Again, we pet owners hope that you do recognize that spending quality time with our pets are very important to us especially for those of us who have been out working all day and have not had the chance to spend time with them.

We thank you in advance for the consideration and hope that you will see that this is very important to us.

Mahalo,

Madelyn  
Hawaiian Humane Society Advocate



## 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 7, 2014

### TESTIMONY TO THE HOUSE COMMITTEES ON ECONOMIC DEVELOPMENT AND BUSINESS AND HEALTH

#### House Bill 186 - Relating to Pets in Restaurants

The purpose of House Bill 186 is to authorize a restaurant or bar to permit pets inside the establishment subject to specified conditions.

The Disability and Communication Access Board (DCAB) is responsible for providing technical assistance regarding the Americans with Disabilities Act (ADA), and one major ADA issue our office deals with is service animals. Because the definition for service animals is so broad under the ADA, DCAB staff responds to approximately fifteen to twenty calls a week from private businesses, government agencies, and people with disabilities and their families asking how to identify a service animal or how to get a dog certified as a service dog.

DCAB acknowledges and empathizes with pet owners who wish to have their pets accompany them into public places, similar to people with disabilities who use service animals; however, we oppose authorizing a restaurant or bar to permit pets inside the establishment, even with the specified conditions listed in the bill. Our three major concerns with the bill are:

1. "Pet" is defined as "dog or cat." DCAB suggests limiting the species of pets to dogs for consistency with the ADA. If the bill passes out of Committee with that change, it will be clear that if only dogs are allowed into establishments it will limit conflicts that may arise between dogs and cats entering an establishment at the same time;
2. The bill needs to include provisions related to ensuring the safety of a service animal in an establishment; and
3. Page 3, lines 18-22 addresses liability of pet owner for personal injury and property damage. Compensation to the handler of a service animal also needs to be addressed, because a service animal is the means for the individual with a disability to be independent in the community. Injury or harm caused to a service animal should be addressed in a separate provision.

On page 4, lines 1-5 addresses rights of individuals with disabilities under state and federal law, but it does not adequately address concerns stated above.

We ask that the bill be held if our concerns are not addressed.

Thank you for the opportunity to testify.

Respectfully submitted,

  
BARBARA FISCHLOWITZ-LEONG  
Chairperson  
Legislative Committee

  
FRANCINE WAI  
Executive Director

**ward2-Robin**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 07, 2014 9:12 AM  
**To:** edbtestimony  
**Cc:** elleiram@gmail.com  
**Subject:** \*Submitted testimony for HB186 on Feb 7, 2014 11:15AM\*

**HB186**

Submitted on: 2/7/2014

Testimony for EDB/HLT on Feb 7, 2014 11:15AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marielle Terbio	Individual	Support	No

Comments:

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