

# **SB 2113**

## **RELATING TO A CONTRACT BETWEEN COUNTY OF KAUAI AND KAUAI HUMANE SOCIETY**

Repeals the requirement that the County of Kauai contract with the Kauai  
Human Society.

PSM, WAM

**COUNTY COUNCIL**

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Lihu'e, Kaua'i, Hawai'i 96766

February 3, 2014

**TESTIMONY OF JAY FURFARO  
COUNCIL CHAIR, KAUAI COUNTY COUNCIL  
ON**

**SB 2113, RELATING TO A CONTRACT BETWEEN  
THE COUNTY OF KAUAI AND THE KAUAI HUMANE SOCIETY  
Committee on Public Safety, Intergovernmental and Military Affairs  
Thursday, February 6, 2014  
3:00 p.m., Conference Room 224**

Dear Chair Espero and Committee Members:

Thank you for this opportunity to submit testimony in support of SB 2113, relating to the repeal of Section 143-16, Hawai'i Revised Statutes (HRS), which requires that the County of Kaua'i contract with the Kaua'i Humane Society. My testimony is submitted in my capacity as the Council Chair of the Kaua'i County Council.

Unlike the three other Counties in the State of Hawai'i, the County of Kaua'i is the only County mandated to contract with the Kaua'i Humane Society regarding seizing and impounding unlicensed dogs. This provision was enacted in 1953 and subsequently amended in 1955. Over the years, the scope of work and services of the Kaua'i Humane Society has substantially grown, which now also includes the control of feral cats on Kaua'i.

Last year, the County Council spent numerous hours deliberating the immediate needs for the County. After reviewing the Fiscal Year 2013-2014 Annual Operating Budget, the Administration and the Council needed to make crucial reductions in all County Departmental Budgets to address the tough financial constraints. Because of the lack of funding, the Kaua'i Humane Society is faced with decreasing operational hours on weekends, which may interfere with HRS Section 143-16.

To avoid any violation of state statute, the repeal of HRS Section 143-16 is necessary at this time for financial and obligatory reasons. It will also constitute a more impartial law that will not oblige a County to contract with a particular entity. The County will still have an active role in regulating seizing and impounding unlicensed dogs pursuant to HRS Section 143-15 like any of the other counties.

AN EQUAL OPPORTUNITY EMPLOYER

Senator Will Espero & Committee Members

Re: SB 2116, Relating to A Contract Between the County of Kaua'i and  
Kaua'i Humane Society

February 3, 2014

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For the reasons stated above, I respectfully request that the Committee approve this measure. Again, thank you for this opportunity to submit testimony.

Sincerely,



JAY PUREARO  
Council Chair, Kaua'i County Council

AB:cy

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 04, 2014 9:17 AM  
**To:** PSMTestimony  
**Cc:** EAGoyne@aol.com  
**Subject:** Submitted testimony for SB2113 on Feb 6, 2014 15:00PM

**SB2113**

Submitted on: 2/4/2014

Testimony for PSM on Feb 6, 2014 15:00PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Freitas	Kauai Humane Society	Support	No

Comments: I am the president of the Board for the Kauai Humane Society. I have discussed this bill with our executive director, Penny Cistaro. We have a good relationship with the County of Kauai and support this bill. Thank-you!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**SB2113**

Submitted on: 2/4/2014

Testimony for PSM on Feb 6, 2014 15:00PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Frank DeGiacomo	Animal Haven	Support	Yes

Comments: Aloha, Animal Haven is in support of this measure. The state should not be putting the name of any company into the statutes to circumvent the competitive bidding process. There are no architects, construction companies, engineering companies -for instance, with their names written into the statutes. There is no reason to write in the Kauai Humane Society into the statutes. It's against the law for any monopolies to exist in the state, but due to this statute, Kauai Humane Society is allowed to continue to have one. I removes the possibility for Kauai to get a better animal control contract for less money. It effectively prohibits having a contractor with no-kill solutions for dealing with Kauai's animal control needs. It greatly diminishes accountability for KHS, and leaves the Kauai County government in a less flexible position to negotiate than all the other counties already have the ability to do. Mahalo for your consideration of this important matter. Frank De Giacomo, President Animal Haven