



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY ONLY

Testimony COMMENTING on HB0127
RELATING TO LITTER CONTROL

REPRESENTATIVE RICHARD P. CREAGAN, CHAIR
HOUSE COMMITTEE ON AGRICULTURE

Hearing Date: February 8, 2019 Room Number: 312

1 **Fiscal Implications:** Unknown

2 **Department Testimony:** The purpose of this measure is to include fecal matter in the
3 definition of litter and littering, and to impose associated penalties.

4 The Department of Health (Department) has not actively enforced state litter laws under
5 Hawaii Revised Statutes Chapter 339 since the abolishment of the Litter Control Office in the
6 late 1990s. Therefore, without an appropriation to restore the program, the Department will not
7 actively enforce state litter laws. Should an appropriation be made to restore the Litter Control
8 Office, we ask that the appropriation does not impact the priorities identified in the Governor's
9 Executive Budget Request and the Department's appropriations and personnel priorities.

10 **Offered Amendments:** None

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

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Hawaiian Humane Society

People for animals. Animals for people.

2700 Waialae Avenue Honolulu, Hawaii 96826
808.356.2200 • HawaiianHumane.org

Date: Feb. 6, 2019

To: Chair Rep. Richard P. Creagan
Vice Chair Rep. Lynn DeCoite
and Members of the Committee on Agriculture

Submitted By: Stephanie Kendrick, Public Policy Advocate
Hawaiian Humane Society, 808-356-2217

RE: Testimony in opposition to HB 127: Relating to Litter Control
Friday, Feb. 8, 2019, 8:30 a.m., Capitol room 312

Aloha Chair Creagan, Vice Chair DeCoite and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our opposition to House Bill 127, which classifies allowing an animal under a person's care or control to drop fecal matter on public or private property as littering. It further subjects any violator to a civil penalty of \$500 for each occurrence.

The Hawaiian Humane Society advocates for responsible pet ownership and fully supports the notion that pet owners should pick up any waste deposited by their animal companions. We oppose this measure, however, for the following reasons:

- The state Health Department already has the authority to intervene if animal waste poses a threat to human health under HRS Sec. 322.
- The counties already have laws against littering that include provisions requiring the collection of pet waste, ex. ROH Sec. 29-4.4 (9).
- The measure could threaten the work of volunteer cat colony caregivers, who spay/neuter Free-Roaming cats and provide for their ongoing care at their own expense.

The Society feels that existing laws requiring the collection of pet waste are sufficient and ongoing issues can be resolved through better enforcement and community education.

Please defer HB 127.

Mahalo for your consideration and please let me know if I can be of assistance.

HB-127

Submitted on: 2/6/2019 12:46:40 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Inga Gibson	West Hawaii Humane Society	Oppose	Yes

Comments:



February 3, 2019

Testimony in Support of HB 127

Representative Creagan and Members of the House Committee on Agriculture:

The Pacific Pet Alliance is a Hawai'i non-profit organization that promotes responsible pet ownership through education and advocacy. We appreciate the opportunity to offer testimony on HB 127.

We support HB 127 as written. We strongly feel that picking up your pets' waste and properly disposing of it is part of responsible pet ownership.

Thank you again for this opportunity to testify. We respectfully request that you pass HB 127.

Lynn Muramaru
Board Member
Pacific Pet Alliance

HB-127

Submitted on: 2/1/2019 9:53:10 AM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Murakami-Akatsuka	Individual	Support	No

Comments:

Dear Committee,

I strongly support the passage of HB 127 that a fine will be imposed to the person in charge whose animal drops fecal matter on public or private property. Majority of individuals "do the right thing" bringing their litter bag to pick up the animal's droppings. Some individuals do not and it causes flies and other vermin to settle on it. Also, it is unsanitary when individuals unknowingly step into the fecal matter and may slip or fall from it.

Thank you for the opportunity to testify strongly supporting the passage of HB 127.

Lynn Murakami-Akatsuka

HB-127

Submitted on: 2/2/2019 7:44:04 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tina Kim	Individual	Support	No

Comments:

HB-127

Submitted on: 2/2/2019 10:13:02 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Frank DeGiacomo	Individual	Oppose	No

Comments:

Aloha!

With all due respect to Rep. Ichiyama and her exceptionally cute, intelligent, and well behaved toddler, this is a crappy bill (pun intended). It could very negatively impact feral cat caretakers, as people with animals "under one's care or control". I believe that it concerns dogs, whereas not too many people walk their cats, chickens, or pigs for instance. While I am not crazy about applying it to dog walkers, I believe that that would adequately address the concerns behind this bill.

So it should be killed, or amended for to apply exclusively to dogs. Otherwise I will have to cause a shit storm of opposition (pun intended), and I'm super busy. So I respectfully request that one of the abovementioned suggestions be applied to this bill.

Best,

Frank DeGiacomo

HB-127

Submitted on: 2/3/2019 1:03:50 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Wilcox	Individual	Support	No

Comments:

HB-127

Submitted on: 2/4/2019 12:40:03 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Douglas	Individual	Support	No

Comments:

decoite3 - Richard

From: Jennifer Chiwa <jennifer.chiwa@gmail.com>
Sent: Tuesday, February 5, 2019 3:17 AM
To: AGRtestimony
Subject: Testimony in Opposition of HB 127 for House Committee on Agriculture 2-8-19 8:30 am Hearing

Aloha, Members of the House Committee on Agriculture. My name is Jennifer Chiwa. I grew up in Aiea and currently reside in Makiki.

Please oppose House Bill 127, as currently worded, which creates a penalty that would apply to those who care for animals who leave fecal matter from these animals on public or private property. The wording of this bill may cause caretakers of free-roaming cats to be punished. If you support this bill, please consider amending the wording so that a penalty would apply to owners of these animals.

Mahalo.

HB-127

Submitted on: 2/5/2019 10:46:52 AM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie McLaughlin	Individual	Oppose	No

Comments:

Please do not support this bill. It is unrealistic. I am the guardian of two dogs and I do pick up after my dogs when they poop. I know there are many irresponsible dog owners who do not pick up the poop. But this bill would create a nightmare for law enforcement. How would police monitor and enforce such a law fairly and without bias? It's like making a law against gum chewing. Law enforcement have more critical issues to deal with than patrolling for dog poop violators.

HB-127

Submitted on: 2/5/2019 12:53:23 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Nandoskar	Individual	Support	No

Comments:

Please support HB127. I live in Waikiki and many people walk their dogs on the Ala Wai Canal. While most pick up after their dogs, there are some that do not. This bill will strike some fear (of a fine) in those who have not been respectful of caring for our common spaces.

Mahalo for your support of this bill.

HB-127

Submitted on: 2/5/2019 3:47:57 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Correa	Individual	Support	No

Comments:

AGRtestimony

From: Edwin Lesperance <spirit@hawaii.rr.com>
Sent: Saturday, February 2, 2019 10:50 AM
To: AGRtestimony
Subject: Bills regarding animals

Categories: Green Category

I support the passage of the following bills.

HB 681 Status	RELATING TO DOGS. Allows dogs in restaurants at the restaurant owner's or manager's discretion provided that certain conditions are met.	AGR, CPC/JUD
HB 1162 Status	RELATING TO PET BOARDING FACILITIES. Regulates the operation of pet boarding facilities within the State.	AGR, JUD
HB 704 Status	RELATING TO COSMETICS. Bans, beginning January 1, 2020, the import for profit, sale, and offer for sale of any cosmetic in the State, if the final product or any component of the product was developed or manufactured using animal testing performed on or after January 1, 2020. Effective January 1, 2020.	AGR, JUD/CPC
HB 716 Status	RELATING TO WILD ANIMALS. Prohibits the importation of dangerous wild animals for exhibition in a circus, carnival, or other live animal act or performance.	AGR, JUD
HB 930 Status	RELATING TO ANIMALS. Prohibits a pet store operator from selling a dog, cat, or rabbit unless the dog, cat, or rabbit was obtained from certain humane sources.	AGR, JUD
HB 1281 Status	RELATING TO ANIMAL CRUELTY. Prohibits the confinement of specified animals in a cruel manner and prohibits business owners and operators from selling those animals. Prohibits slaughtering cats and dogs for human consumption to conform to federal law.	AGR, JUD
HB 200 Status	RELATING TO CRUELTY TO ANIMALS. Prohibits certain restraints and tethers that endanger, or deny sustenance, to a dog. Specifies penalties and provides that fines for these crimes be paid to the respective county where the crime occurred.	AGR, JUD
HB 24 Status	RELATING TO ANIMAL SEXUAL ABUSE. Establishes the criminal offense of sexual assault of an animal. Provides for impoundment and forfeiture of a sexually assaulted animal.	AGR, JUD
HB 127 Status	RELATING TO LITTER CONTROL. Classifies allowing an animal under a person's care or control to drop fecal matter on public or private property as littering. Subjects any violator to a civil penalty of \$500 for each occurrence.	AGR, JUD

Edwin Frank Golinski Lesperance
Retired Cultural Anthropologist
Disabled Vietnam Combat Veteran
96744
spirit@hawaii.rr.com

AGRtestimony

From: Jennifer Chiwa <jennifer.chiwa@gmail.com>
Sent: Tuesday, February 5, 2019 3:17 AM
To: AGRtestimony
Subject: Testimony in Opposition of HB 127 for House Committee on Agriculture 2-8-19 8:30 am Hearing

Categories: Red Category

Aloha, Members of the House Committee on Agriculture. My name is Jennifer Chiwa. I grew up in Aiea and currently reside in Makiki.

Please oppose House Bill 127, as currently worded, which creates a penalty that would apply to those who care for animals who leave fecal matter from these animals on public or private property. The wording of this bill may cause caretakers of free-roaming cats to be punished. If you support this bill, please consider amending the wording so that a penalty would apply to owners of these animals.

Mahalo.

AGRtestimony

From: pj <joyfulpath@aol.com>
Sent: Monday, February 4, 2019 5:22 PM
To: AGRtestimony
Subject: Bills I am supporting

Aloha!

I am supporting the following bills:

A G E N D A

HB 681 Status	RELATING TO DOGS. Allows dogs in restaurants at the restaurant owner's or manager's discretion provided that certain conditions are met.	AGR, CPC/JUD
HB 1162 Status	RELATING TO PET BOARDING FACILITIES. Regulates the operation of pet boarding facilities within the State.	AGR, JUD
HB 704 Status	RELATING TO COSMETICS. Bans, beginning January 1, 2020, the import for profit, sale, and offer for sale of any cosmetic in the State, if the final product or any component of the product was developed or manufactured using animal testing performed on or after January 1, 2020. Effective January 1, 2020.	AGR, JUD/CPC
HB 716 Status	RELATING TO WILD ANIMALS. Prohibits the importation of dangerous wild animals for exhibition in a circus, carnival, or other live animal act or performance.	AGR, JUD
HB 930 Status	RELATING TO ANIMALS. Prohibits a pet store operator from selling a dog, cat, or rabbit unless the dog, cat, or rabbit was obtained from certain humane sources.	AGR, JUD
HB 1281 Status	RELATING TO ANIMAL CRUELTY. Prohibits the confinement of specified animals in a cruel manner and prohibits business owners and operators from selling those animals. Prohibits slaughtering cats and dogs for human consumption to conform to federal law.	AGR, JUD
HB 200 Status	RELATING TO CRUELTY TO ANIMALS. Prohibits certain restraints and tethers that endanger, or deny sustenance, to a dog. Specifies penalties and provides that fines for these crimes be paid to the respective county where the crime occurred.	AGR, JUD
HB 24 Status	RELATING TO ANIMAL SEXUAL ABUSE. Establishes the criminal offense of sexual assault of an animal. Provides for impoundment and forfeiture of a sexually assaulted animal.	AGR, JUD
HB 127 Status	RELATING TO LITTER CONTROL. Classifies allowing an animal under a person's care or control to drop fecal matter on public or private property as littering. Subject	

Mahalo!
Patricia Johnson

Po Box Volcano Hi
8083451527

May all beings be stoked!

AGRtestimony

From: Rosemary Karlsson <rosemarykarlsson@gmail.com>
Sent: Friday, February 1, 2019 11:01 AM
To: AGRtestimony
Subject: multiple Agriculture Committee bills for 2/8/19 at 8:30 am

This is from Rosemary Karlsson, 16-1885 Uilani Drive, Keaau, HI, 96749. Mailing address is PO Box 492266. Cell is 808-966-6589, no landline. I am a private citizen not representing any organization.

This is regarding the Agriculture Committee hearing on Friday, February 8, 2019 at 8:30 am.

Please support the following:

HB 681
HB 1162
HB 704
HB 716
HB 930
HB 1281
HB 200
HB 24
HB 127

Rosemary Karlsson

HB-127

Submitted on: 2/5/2019 4:26:44 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Govier	Individual	Support	No

Comments:

To Rep. Creagan and Meebers of the Agriculture Committee:

I support this bill, HB 127 and urge you to VOTE YES.

I doubt it will change anything.

However,being able to tell an offender it is against a law to not pick up after their dog, might. Worth a try.

Please VOTE YES on HB 127

thank you, Mrs. Susan Govier

HB-127

Submitted on: 2/6/2019 9:51:26 AM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
April M Blades	Individual	Support	No

Comments:

I fully support HB127 pertaining to fecal matter litter placement and urge the committee to pass it.

Thank you for your time and consideration pertaining to this bill.

April M Blades

HB-127

Submitted on: 2/6/2019 1:42:34 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Thompson	Individual	Oppose	No

Comments:

I am a resident of East Oahu and I strongly oppose HB127. This bill is a waste of taxpayer money. Who is going to enforce this littering law? Who is going to oversee the community service of the violator? Judging by the amount of trash in our public places, it appears the current littering laws are not being enforced. I personally have seen many people littering but I have never heard of a single person being cited.

HB-127

Submitted on: 2/6/2019 3:21:53 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Buyukacar	Individual	Oppose	No

Comments:

While it is great that this bill will keep pet owners in check, I am concerned this bill could be used against volunteers who care for free roaming cat colonies.

HB-127

Submitted on: 2/6/2019 3:47:23 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Linster	Individual	Oppose	No

Comments:

HB 127 is too broadly worded and may inadvertently penalize the work of rescue groups and volunteer community caretakers who perform the valuable service of caring for abandoned pets. Because of this, I am opposed to HB 127 and urge you to vote no.

HB-127

Submitted on: 2/6/2019 5:41:07 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
carole richelieu	Individual	Oppose	No

Comments:

Subject to abuse by those who dislike animals or other people be they on public or private property ie. a neighbor (who is disliked by their neighbor) who has a dog in their yard who has not yet had the opportunity to police the yard gets accused of littering or a cat hater who harasses colony caretaker volunteers although on private land with permission. Litter law already exists and difficult to enforce as it is.

HB-127

Submitted on: 2/6/2019 10:48:38 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary James	Individual	Oppose	No

Comments:

The bill as written is too broad. It would include penalties for anyone caring for a community cat that might leave fecal matter on public or private property. People caring for these cats make sure they are spayed/neutered and cared for but they can't take them in as pets. If this bill is passed as is, many caring for community cat colonies may have to stop doing this. If a person does stop caring for these cats, the person faces the possibility of being found guilty of animal abandonment. Those who care for community cats use their own time and funds to provide a public service at no cost to the public, while also reducing the number of free-roaming cats.

HB-127

Submitted on: 2/7/2019 7:02:32 AM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Muramaru	Individual	Support	No

Comments:

HB-127

Submitted on: 2/7/2019 9:37:51 AM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Yadrianna Cruz-Rivera	Individual	Oppose	No

Comments:

decoite2 - Sara

From: Marian Hussenbux <mhussenbux@btinternet.com>
Sent: Wednesday, February 6, 2019 1:12 AM
To: AGRtestimony
Subject: Testimonies HB681, HB200, HB930, HB24, HB716, HB127

Dear Officers of the House Agriculture Committee of the State of Hawai'i – aloha!

I write, in reference to the debates in the Legislature this coming Friday, on behalf of *The Animal Interfaith Alliance*, an international alliance of faith groups founded in Britain concerned about the welfare of animals. Our member organisations and individual members include Buddhists, Christians, Hindus, Jains, Jews, Muslims and Sikhs. We are all united by our common concern for animals, based on our various faiths. Our member organisations are listed below.

May we please submit the following:

“Testimony in support of **HB681**”

We would like to support HB681. Allowing companion dogs in restaurants, at the restaurant owners' discretion, will create a more compassionate society in that it will normalise the affectionate links we have with our animal companions.

“Testimony in support of **HB200**”

We would like to support HB200 which would prohibit the use of certain restraints and tethers that endanger, or deny sustenance, to a dog. To be restrained in often inadequate conditions and sometimes for all their lives, is cruel and disrespectful.

“Testimony in support of **HB930**”

We would like to support HB930 which would prohibit pet store operators from selling a dog, cat or rabbit unless the animals were obtained from certain humane sources such as a shelter or rescue and, importantly to keep records showing the sources of the animals for sale. There can be much neglect and even cruelty in this trade and it fosters breeding when the rescues are full of animals needing good homes.

“Testimony in support of **HB24**”

We would like to support HB24 which establishes the criminal offence of sexual assault of an animal. We understand that the state's existing animal cruelty laws could be used to prosecute cases where there is evidence of physical harm to the animal, but these are not sufficient, and, in any case, to allow sexual assault goes against all norms of civilised society, which we believe Hawai'i to be.

“Testimony in support of **HB716**”

We would like to support HB716 which would prohibit the importation of wild animals for exhibition in a circus, carnival, or other live animal act or performance. We were delighted to be informed that this bill would codify last year's hard-won rule change at the state Department of Agriculture on the same subject.

“Testimony in opposition to **HB127**”

We would like to oppose HB127 which would create a littering penalty that would apply to anyone caring for an animal who leaves faecal waste on public or private property.

Of course, we support the requiring of guardians to clean up after their animals, but this measure could be used to punish the volunteers who care for Free-Roaming cats. This would be wholly unacceptable, as it would make it impossible to care for these needy cats, which is a duty on all societies.

Mahalo to you all!

Kindest regards,

Marian Hussenbux. Secretary International Campaigns

Animal Interfaith Alliance

www.animal-interfaith-alliance.com

Faiths Working Together for Animals

Member Organisations:

[Anglican Society for the Welfare of Animals](#)

[Bhagvatinandji Education and Health Trust](#)

[Catholic Concern for Animals](#)

[Christian Vegetarian Association UK](#)

[Christian Vegetarian Association US](#)

[Dharma Voices for Animals UK](#)

[Institute of Jainology](#)

[Islamic Concern](#)

[Jewish Vegetarian Society UK](#)

[Mahavir Trust](#)

[Oshwal Association of the UK](#)

www.panorthodoxconcernforanimals.org

Quaker Concern for Animals

Sadhu Vaswani Centre

Young Jains

President - Dr Richard D. Ryder. **Vice President** - Dr Deborah Jones.

Patrons (in alphabetical order) - Rev. Christa Blanke, Joyce D'Silva, Kay, Duchess of Hamilton, Satish Kumar, Nitin Mehta MBE, Dr Andre Menache, Dr Alpesh Patel, Dr Matthieu Ricard, Anant Shah, Ajit Singh MBE, Charanjit Singh, Mohammad Safa.

LATE

HB-127

Submitted on: 2/7/2019 7:19:49 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erin Pinto	Individual	Support	No

Comments:

HB-127

Submitted on: 2/7/2019 10:20:03 PM

Testimony for AGR on 2/8/2019 8:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Ginnebaugh	Individual	Support	No

Comments:

Please support this bill!

Maria Ginnebaugh

House Committee on Agriculture
February 8, 2019, 8:30 a.m.
HB127

LATE

Representative Creagan and Members of the Committee,

This mail is in regards to HB 127, re: Pet Litter. My neighbor have 5 to 6 cats that he keeps outside of his home and feeds the cats outside of his house in the garage And this attracts birds, rats and mongoose which becomes a health issue. My neighbor house has been infested with rats ever since this neighbor moved to our neighborhood and has to call a pest control company to control the rats. My biggest concern is that the cats make poop all over my neighbors yards including mine and my biggest concern is it's bad for my health as well as our pet dogs. I would like to HB 127 introduced ad passed for the health of my community.

Sincerely submitted, Roy Yamashiroya