

Honolulu, Hawaii

**FEB 14 2025**

RE: S.B. No. 1439  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 1439 entitled:

"A BILL FOR AN ACT RELATING TO NUISANCES,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that the Department of Health has the legal authority and obligation to prevent and address nuisances that affect environmental health or public health, or both.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee received testimony in opposition to this measure from thirty-five individuals.

Your Committee finds that the Department of Health's responsibility to protect both public and environmental health is essential, especially as climate change increases pressures on resources and communities. Your Committee further finds that the recognition that the health of a community is closely tied to environmental conditions underscores the importance of preventing threats to the environment. This measure clarifies that the Department of Health has the clear statutory authority to act not only in response to direct threats of disease but also when



nuisances pose a risk to public or environmental health of a community.

Your Committee acknowledges the concerns raised in testimony by the individuals in opposition to this measure and believes that the term "foul" as used in this measure can be easily misinterpreted. Your Committee further believes that the term "foul" is unnecessarily redundant and should be removed. Therefore, amendments to this measure are necessary to address this issue.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the word "foul"; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1439, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1439, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Health and Human  
Services,




JOY A. SAN BUENAVENTURA, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Health and Human Services**  
**HHS**

|   |  |  |     |         |
|---|--|--|-----|---------|
| Bill / Resolution No.:*<br><div style="font-size: 1.2em; font-family: cursive;">SB1439</div>  | Committee Referral:<br><div style="font-size: 1.2em; font-family: cursive;">HHS, JDC</div> | Date:<br><div style="font-size: 1.2em; font-family: cursive;">2/5/25</div> |     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____   |  |  |     |         |
| The Recommendation is:<br><div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended<br/>2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments<br/>2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold<br/>2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit<br/>2313         </div> </div> |  |  |     |         |
| Members   | Aye  | Aye (WR)   | Nay | Excused |
| SAN BUENAVENTURA, Joy A. (C)  | ✓  |  |     |         |
| AQUINO, Henry J.C. (VC)   | ✓  |  |     |         |
| HASHIMOTO, Troy N.  | ✓  |  |     |         |
| KEOHOKAOLE, Jarrett   | ✓  |  |     |         |
| FEVELLA, Kurt   |  |  |     | ✓       |
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| <b>TOTAL</b>  | 4  |  |     | 1       |
| Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>  |  |  |     |         |
| Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 50px;">  </div>   |  |  |     |         |
| Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original<br/>File with Committee Report</div> <div style="text-align: center;">Yellow<br/>Clerk's Office</div> <div style="text-align: center;">Pink<br/>Drafting Agency</div> <div style="text-align: center;">Goldenrod<br/>Committee File Copy</div> </div>   |  |  |     |         |

\*Only one measure per Record of Votes