



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in SUPPORT of HB1120 HD1
RELATING TO NUISANCES**

REPRESENTATIVE DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Hearing Date: **02/26/2025, 2:00 P.M.** Room Number: **325**

- 1 **Fiscal Implications:** This measure will not impact the priorities identified in the Governor's
- 2 Executive Budget Request for the Department of Health's (Department) appropriations and
- 3 personnel priorities.
- 4 **Department Position:** The Department **supports** the HB1120 HD1 measure.
- 5 **Department Testimony:** The Environmental Health Services Division (EHSD), Vector Control
- 6 Branch (VCB) provides the following testimony on behalf of the Department.
- 7 HB1120 HD1 amends Hawaii Revised Statutes (HRS) Chapter 322, Part 1, Removal, prevention
- 8 (of nuisances) by adding "Abatement, Destruction" and "public or environmental" to clarify that
- 9 the Department has the legal authority and obligation to prevent and address nuisances that
- 10 affect public health, environmental health, or both. The additional language updates the
- 11 statute and aligns it with Departmental practices and purposes, ensuring that the Department
- 12 has clear legal authority to act in the interests of public and environmental health, particularly
- 13 concerning invasive species control and biosecurity.
- 14 HRS, Chapter 322-1, pertains to the abatement of nuisances which are found to be dangerous
- 15 or injurious. HRS, Chapter 322-1, directs the Department to examine all nuisances, including
- 16 foul or noxious odors, gases or vapors, water in which mosquito larvae exist, sources of filth,

1 and all causes of sickness or disease, onshore and in any vessel, which the Department
2 determines are dangerous or injurious to health. Further, HRS, Chapter 322-1, authorizes the
3 Department to cause the dangerous or injurious nuisance to be abated, destroyed, removed, or
4 prevented. However, as currently written, the language in HRS, Chapter 322-1 directs the
5 Department to act when a nuisance is dangerous or injurious to “health,” which leaves
6 ambiguity whether “health” does or does not broadly include “environmental health” or
7 whether “health” refers solely to an individual’s health rather than public health.

8 Incorporating “public or environmental” into HRS 322-1 simultaneously acknowledges and
9 directs the Department’s actions when nuisances directly threaten public health and/or
10 environmental health. The proposed language enhances clarity and readability in the statute
11 and aligns with a One Health approach to safeguarding our communities from disease.

12

13 **Offered Amendments:** None

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

HB-1120-HD-1

Submitted on: 2/25/2025 1:54:14 PM

Testimony for JHA on 2/26/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Misakian	Individual	Comments	Remotely Via Zoom

Comments:

Please amend this bill to address all health-related nuisances, **including Early Trash Pick-ups**, which are pervasive and negatively impact the health of many in Waikiki and other areas of Hawaii. This is a known problem and should be part of this bill.

Also, please ensure that God's animals (i.e., chickens) are not rounded up and euthanized.

Mahalo,

Gregory Misakian