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# A BILL FOR AN ACT

RELATING TO FERAL BIRDS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 322-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§322-1 Removal, prevention.** The department of health and  
4 its agents shall examine into all nuisances, foul or noxious  
5 odors, gases or vapors, water in which mosquito larvae exist,  
6 sources of filth, and all causes of sickness or disease, on  
7 shore, and in any vessel, which may be known to them or brought  
8 to their attention, which in their opinion are dangerous or  
9 injurious to health, and into any and all conditions created or  
10 existing which cause or tend to cause sickness or disease or to  
11 be dangerous or injurious to health, and shall cause the same to  
12 be abated, destroyed, removed, or prevented.

13           For purposes of this [~~section~~], part, a nuisance shall  
14 include [~~toxic~~]:

15           (1) Toxic materials that are used in or by-products of the  
16 manufacture or conversion of methamphetamine, and  
17 clandestine drug labs that manufacture  
18 methamphetamine [~~-~~]; and



1       (2) Odors and filth resulting from a person feeding feral  
2       birds."

3       SECTION 2. Section 322-6, Hawaii Revised Statutes, is  
4 amended to read as follows:

5       "**§322-6 Who to report nuisances.** The sheriff [and], all  
6 officers of police, and physicians[7] shall report to the  
7 department of health, or its nearest authorized agent, the  
8 existence of any nuisance injurious to the public health, of  
9 which any of them may be cognizant, as soon as possible after it  
10 comes to their knowledge. Any individual may report to the  
11 department of health, or its nearest authorized agent, the  
12 existence of any nuisance injurious to the public health as soon  
13 as possible after the individual learns of the existence of the  
14 nuisance."

15       SECTION 3. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

18       SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20       SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Feral Birds; Nuisances

**Description:**

Creates feeding of feral birds as a nuisance, which the director of health is authorized to examine and order to be abated, destroyed, removed, or prevented. Allows the public to report a nuisance to the department of health. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

