

STAND. COM. REP. NO. 2447

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 651  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 651 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit smoking in and around public housing projects and state low-income housing projects under the jurisdiction of the Hawaii Public Housing Authority.

Your Committee received testimony in support of this measure from the Department of Health, Coalition for a Tobacco-Free Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from three individuals.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which amends this measure by:

- (1) Adding language that prohibits smoking in any elder or elderly household;
- (2) Adding language that prohibits smoking in all common areas, community facilities, and within twenty feet from any entrance, exit, window, and ventilation intake that serves an enclosed or partially enclosed area of public housing projects and state low-income housing projects;



- (3) Removing language requiring the Hawaii Public Housing Authority to designate one or more permissible smoking areas;
- (4) Inserting language requiring the Hawaii Public Housing Authority to place and maintain "No smoking" signage at all entrances and exits of the property;
- (5) Expanding the definition of "common areas"; and
- (6) Expanding the definition of "smoking" to include the use of electronic smoking devices.

Your Committee received testimony in support of the proposed S.D. 1 from the Department of Health, Coalition for a Tobacco-Free Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from Volcano Fine Electric Cigarettes, and three individuals. Your Committee received comments on this measure from the Hawaii Public Housing Authority.

Your Committee finds that there are many hazards caused by involuntary exposure to tobacco smoke, including lung cancer, coronary heart disease, and stroke. In addition, secondhand smoke can cause lung problems, ear infections, asthma, and sudden infant death syndrome. The United States Surgeon General has found that there is no safe level or amount of exposure to secondhand smoke. Your Committee received testimony expressing concern about the lack of designated smoking areas in the measure and the fact that electronic smoking devices are included in the measure's definition of smoking. Your Committee finds that the effects of electronic smoking devices are not well established.

Accordingly, your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the measure by:

- (1) Adding language authorizing the Hawaii Public Housing Authority to designate permissible smoking areas;
- (2) Adding language requiring the Authority to place and maintain "No smoking" signage at any appropriate location; and
- (3) Removing the reference to electronic smoking devices.



As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 651, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 651, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

*Suzanne Chun Oakland*

SUZANNE CHUN OAKLAND, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

|   |   |                                       |                                  |         |
|---|---|---------------------------------------|----------------------------------|---------|
| Bill / Resolution No.:*   | Committee Referral:   | Date:                                 |                                  |         |
| SB 651  | HMS, JDL  | 2-11-14                               |                                  |         |
| <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:  |   |                                       |                                  |         |
| <input type="checkbox"/> Pass, unamended<br>2312  | <input checked="" type="checkbox"/> Pass, with amendments<br>2311 | <input type="checkbox"/> Hold<br>2310 |                                  |         |
| <input type="checkbox"/> Recommit<br>2313   |   |                                       |                                  |         |
| Members   | Aye   | Aye (WR)                              | Nay                              | Excused |
| CHUN OAKLAND, Suzanne (C)   | ✓   |                                       |                                  |         |
| GREEN, M.D., Josh (VC)  |   |                                       |                                  | ✓       |
| KIDANI, Michelle N.   | ✓   |                                       |                                  |         |
| TANIGUCHI, Brian T.   |   |                                       |                                  | ✓       |
| SLOM, Sam   |   | ✓                                     |                                  |         |
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| <b>TOTAL</b>  | 2   | 1                                     |                                  | 2       |
| Recommendation:   |   |                                       |                                  |         |
| <input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>                         |   |                                       |                                  |         |
| Chair's or Designee's Signature: <i>Michelle N. Kidani</i>  |   |                                       |                                  |         |
| <b>Distribution:</b>  |   |                                       |                                  |         |
| Original<br>File with Committee Report  | Yellow<br>Clerk's Office  | Pink<br>Drafting Agency               | Goldenrod<br>Committee File Copy |         |

\*Only one measure per Record of Votes