

Honolulu, Hawaii

Apr: 17, 2006

RE: S.B. No. 3262
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3262, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this bill is to prohibit smoking in places open to the public and places of employment, providing a consistent level of basic protections statewide from exposure to secondhand smoke while allowing counties to implement laws with greater restrictions.

The Department of Accounting and General Services, Department of Health, University of Hawaii, American Heart Association, American Cancer Society, Kaiser Permanente, Coalition for a Tobacco Free Hawaii, Castle Medical Center, Laborers' International Union of North America Local 368, AFL-CIO, Hawaii State AFL-CIO, Hawaii Association of Health Plans, Hawaii Medical Association, Hawaii Medical Service Association, Hawaii Pacific Health, Healthy Mothers Healthy Babies Coalition of Hawaii, Mililani Town Anti-Drug Committee, MothersCare for Tomorrow's Children, Maui Tobacco-Free Partnership, and numerous concerned individuals supported this bill. The Department of Public Safety supported the intent of this measure and offered an amendment. A concerned individual opposed this bill. The American Lung Association of Hawaii, Asian American Network for Cancer



Awareness, Research and Training, and a concerned individual offered comments.

Your Committee has amended this bill by:

- (1) Amending the definition of "enclosed or partially enclosed" areas to specify that these areas must be closed in by at least two walls, among other criteria;
- (2) Exempting state correctional facilities from this measure;
- (3) Changing the effective date to July 1, 2096, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3262, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3262, S.D. 1, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



SYLVIA LUKE, Chair



