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Statement of
Chad K. Taniguchi
Hawaii Public Housing Authority
Before the

SENATE COMMITTEE ON HUMAN SERVICES & PUBLIC HOUSING

January 29, 2008, 1:30 p.m.
Room 016, Hawaii State Capitol

In consideration of
S.B. 2408
RELATING TO PUBLIC HOUSING

The Hawaii Public Housing Authority (HPHA) strives to create a safe and healthy living environment for public housing residents, but has concerns regarding HPHA's ability to enforce the provisions of S.B. 2408.

Currently, HPHA prohibits smoking in common areas and allows residents to smoke within their own unit. HPHA also applies the smoking regulations of Act 295, Hawaii's Smoke-Free Law, to both residents in common areas and staff in office work spaces.

The difficulty with enforcing a no-smoking rule within public housing is that management has few mechanisms to control the actions of tenants within their unit. HPHA staff has pressing issues, such as collecting all rents due.

HPHA intends to continue operating under the current HPHA, State Department of Health, and Department of Housing & Urban Development guidelines for health and safety in public housing projects. Solutions should be workable on an individual basis rather than by a law change. HPHA will also solicit recommendations from residents and Tobacco Free Hawaii to create workable solutions to health and safety issues at public housing projects.

Testimony as per SB2408 (Hearing Jan. 29, 2008)

Ladies and Gentlemen,

I cannot believe I am sitting here witnessing such a moronic waste of legislative time. Banning smoking in Public Housing? Someone in here is smoking something.

For over a year now, we have provided to every lawmaker, on a near daily basis, tons of information discrediting our opposition's claim of the "killer dangers" of SHS, not to mention the slew of TRUE STATS as per the negative impacts this smoking ban has had on business, jobs, and tourism. And now in the face of that you have the audacity and arrogance to introduce even more stupid senseless legislation on smoking? It tells us, some of you did not bother reading the daily drop-offs of TRUTH, either that or you have no clue of what is going on out there in the real world.

We have been extremely patient, respectful, and courteous in our attempts to try and educate lawmakers on the TRUTHS of this issue. Fortunately, many now have finally seen the light and have turned their views around to a more common sense approach to this problem. Still, a few of you have chosen to keep your heads in the sand of idiocy. To see this kind of continuing of needless governmental intrusion still present at this stage of this issue is the straw that has broken the camel's back. So, to those of you few die-hards, no more Mr. Nice Guys.

We now will step up our campaign into full-blown Code Red. We will now pull no punches in informing our constituency (now over 40,000) of those lawmakers who are RECEPTIVE to our cause, and those lawmakers who are ARROGANTLY INDIFFERENT. Anyone today who under estimates the power of the internet is indeed one tree short of a forest.

Some lawmakers evidently have not heard of the term "awakening sleeping giant" or "the angry populace". We are ready to Vote with Appreciation...or to Vote with Vengeance. We strongly urge each of you to vote against SB2408. For those of you who will decide to vote for this bill, rest assured our websites will do everything in our power to unseat you.

Aloha, and mahalos for your time.

Kawika Crowley
TheSmokeVote.com
Americans For Freedom of Choice
Co-Chair--HawaiiSmokersAlliance.com

Testimony for Human Services and Public Housing Committee concerning S.B.2408 prohibiting smoking in and around public housing projects, for hearing Tuesday, January 29, 2008 1:30 p.m.

Please add or attach this as page 1 to additional testimony I already submitted

I am a Hawaii Public Housing Authority tenant seeking your assistance in advocating and passing legislation to protect Hawaii Public Housing tenants against Environmental Tobacco Smoke/Secondhand Smoke.

This is an especially vulnerable population composed of families and individuals who do not have the financial means to live anywhere else. HPHA's exclusion from Hawaii Landlord Tenant Code further disempowers Public Housing tenants, resulting in a need for special protection and advocacy on their behalf.

Public housing tenants reside in close quarters and in close proximity to their neighbors. In this environment, having a neighbor who smokes can be as detrimental to a tenant's health, property and enjoyment of their living space as living with a smoker. In addition, low income people smoke in higher proportions than the general population. As a result of these circumstances thousands of low income nonsmokers living in public housing are constantly exposed to abnormally high levels of secondhand smoke, as well as the toxins in the residue that accumulates on the walls, furnishings, bedding and clothing of these nonsmokers. I conducted a door-to-door survey of one-bedroom units (about 43 units) in Kekaha Ha'aheo and found that half the units housed at least one smoker. Many of the nonsmokers reported problems with secondhand smoke and said that they would like to live in a smokefree building with a smokefree outdoor area. Prior to doing the survey I had already heard many complaints from tenants about secondhand smoke, indicating that they would welcome smokefree policies.

One would think that HPHA would provide a smokefree environment voluntarily upon documentation of medical necessity but this is not the case. I was forced to evacuate from my HPHA unit in Kekaha Ha'aheo over seven months ago due to an extreme contamination of ETS from an adjacent unit and am still unable to return. Even though I submitted a letter from my doctor stating that it was medically necessary for me to live in a smokefree environment, HPHA denied my request. I was told by the State Ombudsman staff member whom I contacted, that it was because Hawaii state law does not require HPHA to provide smokefree housing. I also spoke with a state Health Department employee who informed me that she had worked with Public Housing tenants on another island who have chronic respiratory illnesses and have also been denied smokefree environments in spite of their obvious health needs. So it is evident that the only way Public Housing residents will be protected from secondhand smoke in their living space is through legislation requiring such protection.

In order to provide immediate protection from ETS for those tenants who need it the most, I suggest that the initial legislation be worded so that HPHA is required to provide smokefree units and outdoor areas to all tenants who need or request them. This wording would help deflect concerns or charges that the measure is being forced on tenants against their wishes. A smokefree unit, building or other area would be defined as a non-smoking area surrounded by a

LATE TESTIMONY

large enough non-smoking buffer zone to keep the area smoke-free. (As in the 2006 Smokefree Workplace law.) **The buffer zone would need to be larger than the 20 feet specified in the existing law because people need a higher level of protection in their homes than in a public place.** Subsequent legislation could increase and expand smokefree units and areas so that eventually all Public Housing tenants could enjoy safe, clean, smokefree air as a norm without specifically requesting it. Many public housing authorities throughout the US and other countries have enacted smokefree policies and we can too.

Legislation could alternatively or additionally require that Public Housing managers investigate and resolve to the tenant's satisfaction all complaints of fumes of any kind--including, but not limited to tobacco smoke--that are entering a tenant's unit, yard or common area and causing problems for the tenant. Again, one would think that they would already be doing this but they are not.

Because HPHA administrators are not elected they are apparently not motivated to meet the needs of the tenants. As a result many HPHA policies are designed for the convenience of the administrators and managers rather than the health or safety of the tenants. These administrators seem to forget--or ignore-- that the purpose of Public Housing is to help low income members of the public rather than to create an easy and convenient job for administrators. This is why we need our elected legislators to step in and fill the gap to protect the health and safety of Public Housing tenants.

I also request that HPHA be required to post signs indicating in detail areas in which smoking is prohibited, and to notify all tenants in writing of the law.

Please attach or add this to my other testimony which I already submitted.

Jill Friedman
P.O. Box 1248
Kekaha, HI 96752

Senator Chun-Oakland, Chair

Senator Ihara, Vice-chair

Committee on Human Services and Public Housing (HSP)

For the committee Hearing on 29JAN08, 1:30 pm, opposition regarding banning smoking in the home.

From; Michael Zehner

SB2408; Testimony in Extremely Strong Opposition,

I am shocked and saddened that there are actually people in the State Senate that have such open contempt for their smoking constituents that they would brazenly sign on to something so awful. It's bad enough that some of these same people place mom and pop bars with a high proportion of smoking customers in the unconscionable position of having to choose between letting people smoke in their bar or going out of business and loosing their homes.

This bill doesn't even deserve a hearing. Once again the smoking ban issue is targeted against poor and working class people. How ironic that the bill didn't ban it in homes worth greater than \$10 million, but instead attacks the poor. You won't do that any more than you would ban it in big hotels, because there's big money there - it's that simple.

Funny that all the substances that make up environmental tobacco smoke fall within OSHA permissible exposure limits. Funny how the Surgeon General's report on SHS claimed there would be no negative economic impact from a smoke free law. Guess that biased and clearly special interest policy driven report failed to mention that hardship exemptions were given by other local governments when the bars PROVED to their local governments that it had caused substantial economic hardship. Was the Surgeon General telling the truth? Can we trust his word anymore? You tell me.

Yes, this law is about us. It's about bigotry, intolerance, fraudulent and biased "research", and big money driven politics. Laws like this breed intolerance toward people who have differing lifestyles and sets Hawaii's new "gold standard" ; *that what you do that is otherwise legal IN YOUR OWN BEDROOM, should be and is the government's business and you should be homeless if you don't comply.*

Sincerely, Michael Zehner

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