

Honolulu, Hawaii

April 7, 2009

RE: S.B. No. 1073

S.D. 1

H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred S.B. No. 1073, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES,"

begs leave to report as follows:

The purpose of this bill is to provide a cleaner, healthier environment in state correctional facilities by authorizing smoking for employees and volunteers of a correctional facility only in areas designated by the warden of the facility that are outside a correctional facility restricted from access by inmates or detainees.

The Department of Public Safety, American Cancer Society, and Hawaii Medical Association supported this bill. The Department of Health and the Coalition for a Tobacco-Free Hawaii supported the intent of this measure. A concerned individual opposed this bill. The American Lung Association in Hawaii, United Public Workers AFSCME Local 646 AFL-CIO, and a concerned individual submitted comments.

Your Committee has amended this bill by:

- (1) Clarifying that smoking areas may be designated by the warden of a correctional facility that are within the boundaries of the facility but outside the secure confines of the facility; and

SB1073 HD2 HSCR PBS HMS 2009-3546



- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1073, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1073, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,



FAYE HANOHANO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 1570

Record of Votes of the Committee on Public Safety

Bill/Resolution No.: SB 1073, SDI, HDI	Committee Referral: HLT, PBS	Date: 4-2-2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)	✓			
2. AQUINO, Henry J.C. (VC)	✓			
3. AWANA, Karen Leinani		✓		
4. KEITH-AGARAN, Gilbert S.C.	✓			
5. LEE, Marilyn B.	✓			
6. NAKASHIMA, Mark M.	✓			
7. RHOADS, Karl	✓			
8. SAIKI, Scott K.				✓
9. SOUKI, Joseph M.				✓
10. TAKUMI, Roy M.	✓			
11. YAMASHITA, Kyle T.	✓			
12. PINE, Kymberly Marcos	✓			
TOTAL (12)	9	1		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				