

STAND. COM. REP. NO.

490

Honolulu, Hawaii

Feb 18, 2011

RE: H.B. No. 1494
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1494
entitled:

"A BILL FOR AN ACT RELATING TO SMOKING IN CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this bill is to help protect the public health
by:

- (1) Requiring condominium associations to adopt bylaws or rules prohibiting smoking in all common elements and limited common elements that are covered; and
- (2) Authorizing condominium association to adopt bylaws or rules to prohibit smoking within condominium dwelling units.

A concerned individual supported this bill. The Coalition for a Tobacco-free Hawaii supported the intent of this measure. A concerned individual opposed this bill.

Your Committee has amended this bill by:

- (1) Removing language authorizing condominium associations to adopt bylaws or rules to prohibit smoking within condominium dwelling units;

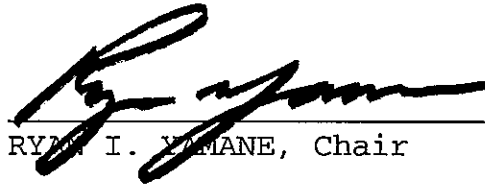
HB1494 HD1 HSCR HLT HMS 2011-2296



- (2) Requiring condominium associations to designate a covered and accessible smoking area along with their adoption of bylaws and rules prohibiting smoking in common elements; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1494, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1494, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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



RYAN I. YAMANE, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 1494	Committee Referral: HLT, CPC	Date: 2/15/11		
<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)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. MORIKAWA, Dee (VC)	✓			
3. BELATTI, Della Au				✓
4. HANOHANO, Faye P.	✓			
5. JORDAN, Jo	✓			
6. LEE, Chris	✓			
7. MIZUNO, John M.	✓			
8. WOOLEY, Jessica	✓			
9. CHING, Corinne W.L.				✓
10. PINE, Kymerly Marcos	✓			
TOTAL (10)	8			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				