

Honolulu, Hawaii

FEB 17 2012

RE: S.B. No. 2398
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Health, to which was referred S.B. No. 2398 entitled:

"A BILL FOR AN ACT RELATING TO TATTOO ARTISTS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow qualified licensed tattoo artists to demonstrate their skills at a tattoo trade show, tattoo convention, or other tattoo-related event, subject to the availability of the proper facilities and equipment necessary to perform their skills or work; and
- (2) Allow the Department of Health to contract with professional testing services to prepare, administer, and grade an out-of-state examination for any applicant for a temporary tattoo license.

Your Committees received testimony in support of this measure from numerous individuals. Testimony in opposition to this measure was received from the Department of Health, Kapu Tattoo Company, and twelve individuals. Comments were received from five individuals.

Your Committees find that this measure is intended to address the possible widespread adverse health effects of the transmission



of disease by persons who are not licensed as tattoo artists in this State.

Your Committees have amended this measure by deleting its contents and substituting provisions to:

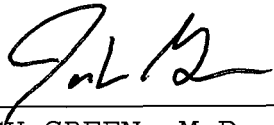
- (1) Prohibit the sale of tattoo supplies to any person under the age of eighteen years, any person not licensed in Hawaii as a tattoo artist, or any tattoo shop without a permit issued by the Department of Health;
- (2) Beginning January 1, 2013, require every applicant for a tattoo artist license to pass a blood borne pathogen test developed specifically for the tattoo industry and approved by the Director of Health as a prerequisite to licensure, and to require passing the test every four years thereafter in order to continue licensure;
- (3) Condition the granting of a temporary permit for locations other than a permitted tattoo shop for a trade show, product demonstration, or educational demonstration on a prohibition of the conducting of body piercing and body modifications; and
- (4) Establish a tattoo artist task force to review administrative rules relating to the regulation and licensure of tattoo artists with the goal of enhancing regulation.

Your Committees believe that this measure, as amended, addresses the most pressing present concerns about tattoo artists and the tattoo industry.

As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2398, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2398, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Government Operations, and
Military Affairs and Health,



JOSH GREEN, M.D., Chair



WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No. SB 2398	Committee Referral: PGM/HCH, CPN	Date: 2-15-12
--------------------------------------	---	----------------------

The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
KIDANI, Michelle N. (VC)	✓	WR		
BAKER, Rosalyn H.	✓	WR		
RYAN, Pohai				✓
SLOM, Sam			✓	
TOTAL	3	0	1	1

Recommendation: Adopted Not Adopted

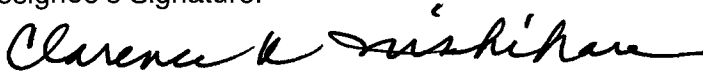
Chair's or Designee's Signature: *Michelle N. Kidani*

Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2398	PGM/HTH, CPN	2/15/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
BAKER, Rosalyn H.	✓			
CHUN OAKLAND, Suzanne	✓			
SHIMABUKURO, Maile				✓
WAKAI, Glenn		✓		
SLOM, Sam			✓	✓ <i>ca</i>
TOTAL	4	1	1 <i>ca</i>	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes