

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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LATE

DIRECTOR OF HEALTH

In reply, please refer to:  
File:

SENATE COMMITTEE ON HUMAN SERVICES

SB0651,SD1, RELATING TO HEALTH

Testimony of David Sakamoto, MD, MBA  
Deputy Director, Health Resources Administration

February 11, 2014  
1:45 pm, Room 016

1 **Department's Position:** The Department of Health (DOH) supports SB0651,SD1 which prohibits  
2 smoking in and around public housing and state low-income projects under the jurisdiction of the  
3 Hawaii Public Housing Authority (HPHA), in an around elder or elderly household, and expands the  
4 definition of smoking to include electronic smoking devices.

5 **Fiscal Implications:** None.

6 **Purpose and Justification:** SB0651, Proposed SD1 amends Chapter 356D, Hawaii Revised Statutes  
7 (HRS), by adding a new section to part I to prohibit smoking in any public housing project, elderly or  
8 elderly household, or state low-income housing. This measure includes community facilities, expands  
9 the definition of all common areas, expands the twenty-foot rule, and authorizes signage. The bill  
10 redefines "smoking" to include electronic smoking devices and further specifies a cause for eviction.

11 DOH recognizes the scientific findings and recommendations of the United States Surgeon  
12 General regarding the hazard of involuntary exposure to tobacco smoke by nonsmokers. Those findings  
13 disclose that: 1) There is no safe level or amount of exposure to secondhand smoke (SHS), and breathing  
14 even a little amount can be dangerous; 2) Children are more likely to have lung problems, ear infections,  
15 and severe asthma from being around tobacco smoke; 3) Breathing SHS is a known cause of sudden

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1 infant death syndrome; 4) SHS is a known human carcinogen (cancer-causing agent); 5) Inhaling SHS  
2 causes lung cancer, coronary heart disease, and strokes in nonsmoking adults.

3 The DOH agrees with including the prohibition of electronic smoking devices in this measure.  
4 The public health concern is for the protection from the unregulated use of these potentially hazardous  
5 products. The use of electronic smoking devices in smoke-free areas causes confusion in enforcement  
6 and renormalizes smoking behavior.

7 The DOH recommends that the definitions included in SB651, proposed SD1 be amended to be  
8 consistent with definitions vetted through the Office of the Attorney General, as follows:

9 "Electronic smoking device" means any electronic product that can be used to vaporize and  
10 deliver nicotine or other substances to the person inhaling from the device, including but not limited to  
11 an electronic cigarette, electronic cigar, electronic cigarillo, or electronic pipe, and any cartridge or other  
12 component of the device or related product.

13 "Smoke" or "smoking" means inhaling, exhaling, burning, or carrying any lighted or heated  
14 tobacco product or plant product intended for inhalation in any manner or in any form. "Smoking"  
15 includes the use of an electronic smoking device."

16 Hawaii's current smoke-free workplace and public places law, Chapter 328J, HRS enacted in  
17 2006, protects the public in enclosed and partially-enclosed areas, but does not cover and excludes  
18 private residences. The federal Housing and Urban Development Authority actively supports and  
19 encourages the creation of smoke-free residential public housing properties governed under that  
20 authority.

21 DOH supports this measure to protect the residents of public housing by banning smoking and  
22 supports SB0651, proposed SD1 with its the clarification and expansion of public housing protected  
23 areas and inclusion of electronic smoking devices.

24 Thank you for the opportunity to testify.