

STAND. COM. REP. NO.

619

Honolulu, Hawaii

February 15, 2019

RE: H.B. No. 1395

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1395 entitled:

"A BILL FOR AN ACT RELATING TO SMOKING,"

begs leave to report as follows:

The purpose of this measure is to establish a fine of \$100 for underage persons who smoke on public school property or at public school functions.

An individual supported this measure. The Office of the Prosecuting Attorney of the County of Kaua'i, Hawai'i Public Health Institute, and an individual opposed this measure. The Department of Education and Department of Health provided comments.

Your Committee has amended this measure by:

- (1) Specifying that the fine is for any person over the age of twenty-one, rather than under twenty-one, who smoke on public school property or at public school functions;
- (2) Requiring the Department of Education to adopt rules for non-monetary penalties for students who smoke on public school property or at public school functions; and



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- (3) Changing the effective date to January 28, 2081, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1395, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1395, H.D. 1, and be referred to your Committee on Finance.

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



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CHRIS LEE, Chair



State of Hawaii  
House of Representatives  
The THIRTIETH Legislature

HJR 619

**Record of Votes of the Committee on Judiciary**

<b>Bill/Resolution No.:</b> HB1345	<b>Committee Referral:</b> Jud, FIN	<b>Date:</b> 2/13/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.				/
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. MORIKAWA, Dee				/
8. SAY, Calvin K.Y.	/			
9. TAKAYAMA, Gregg	/			
10. YAMANE, Ryan I.	/			
11. THIELEN, Cynthia	/			
<b>TOTAL (11)</b>	9			2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				