

STATE OF HAWAII
DEPARTMENT OF HEALTH
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Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on S.B. 553
RELATING TO SMOKING**

SENATOR JARRETT KEOHOKALOOLE, CHAIR
SENATE COMMITTEE ON HEALTH

Hearing Date: 2/17/2021

Room Number: Videoconference

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) offers comments on Senate Bill 553
3 (S.B. 553) to extend emergency powers to the Governor to prohibit smoking in multiunit
4 residences during stay-at-home orders.

5 S.B. 553 addresses the public health problem of increased secondhand smoke (SHS)
6 exposure in residential units during periods of emergencies that require residents to shelter in
7 place at home. In 2020, due to the COVID-19 pandemic, the Governor enacted stay-at-home
8 orders for the state, and residents were confined to their living spaces. During the stay-at-home
9 orders, the DOH Tobacco Prevention and Control Section experienced an escalation of
10 complaint calls from individuals citing involuntary exposure to SHS. Prior to this, the DOH
11 received an average of 51% of complaints related to SHS exposure in their homes from 2017
12 through 2019, this figure increased to 73% in 2020.¹ Notably, Hawaii has a higher volume of
13 multiunit housing dwellers as compared to the rest of the nation (46.2% Hawaii vs. 29.8% U.S.),²
14 leaving many vulnerable to increased SHS exposure during the stay-at-home restrictions.

¹ Hawaii State Department of Health, Tobacco Prevention and Control Section, SHS complaint data.

² Annual Estimates of Housing Units for the United States, Regions, Divisions, States, and Counties: April 1, 2010 to July 1, 2017
Source: U.S. Census Bureau, Population Division. Data release: May 2018 Retrieved January 31, 2019 from
<https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

1 Each year, an estimated 28 million multiunit housing residents in the U.S. are exposed to
2 SHS in their home or apartment that has originated from somewhere else in their building, such
3 as a nearby unit.^{3,4} The U.S. Surgeon General has declared that there is no safe level of SHS
4 exposure.⁵ SHS exposure is causally linked to adverse health outcomes among non-smokers,
5 including heart disease, stroke, and lung cancer in adults, and increased risk of severe asthma
6 attacks, respiratory infections, ear infections, and sudden infant death syndrome (SIDS) in
7 children.^{6,7}

8 While enacting jurisdictional protections or amending condominium bylaws to prohibit
9 smoking are opportunities to eliminate exposure to SHS in homes, these measures are long-term
10 processes that take time. This is a difficult time for everyone for people exposed involuntarily to
11 SHS and to people who are addicted to tobacco products. The DOH is increasing
12 communications outreach for the Hawaii Tobacco Quitline during the pandemic to help both
13 smokers and their families reduce the risks associated with COVID-19.

14 Thank you for the opportunity to testify on this measure.

15 **Offered Amendments:** None

³ King BA, Babb SD, Tynan MA, Gerzoff RB. National and state estimates of secondhand smoke infiltration among U.S. multiunit housing residents. *Nicotine Tob Res.* 2013;15 (7):1316-1321.

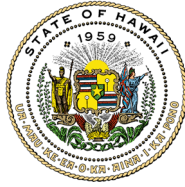
⁴ Andrea S. Licht, Brian A. King, Mark J. Travers, Cheryl Rivard, and Andrew J. Hyland. Attitudes, Experiences, and Acceptance of Smoke-Free Policies Among US Multiunit Housing Residents. *American Journal of Public Health*: October 2012, Vol. 102, No. 10, pp.1868-1871. doi: 10.2105/AJPH.2012.300717.

⁵ Office on Smoking and Health (US). (2006). *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. Centers for Disease Control and Prevention (US). <http://www.ncbi.nlm.nih.gov/books/NBK44324/>

⁶ U.S. Department of Health and Human Services. *Let's Make the Next Generation Tobacco-Free: Your Guide to the 50th Anniversary Surgeon General's Report on Smoking and Health (2014)*. <https://www.surgeongeneral.gov/library/reports/50-years-of-progress/consumer-guide.pdf>

⁷ U.S. Department of Health and Human Services. *The Health Consequences of Smoking—The 50 Years of Progress: A Report of the Surgeon General (2014)*.

DAVID Y. IGE
GOVERNOR



MAJOR GENERAL KENNETH S. HARA
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DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

**TESTIMONY ON SENATE BILL 553,
RELATING TO SMOKING**

Before the Senate Committee on
HEALTH

By

Luke P. Meyers
Administrator, Hawaii Emergency Management Agency (HI-EMA)

Aloha Chair Keohokalole, Vice-Chair Baker, and Members of the Committee:

Senate Bill 553 allows the governor to order mitigating measures including prohibiting smoking in multi-unit residences during an emergency order to stay at home.

The Hawaii Emergency Management Agency (HI-EMA) **offers comments on** Senate Bill 553.

During the stay-at-home orders, the DOH Tobacco Prevention and Control Section experienced an escalation of complaint calls from individuals citing involuntary exposure to second hand smoke (SHS). While these are concerning, HI-EMA believes that the powers provided the Governor by SB553 are already available under sections 127A-13,25, &29, HRS.

Thank you.

Luke P. Meyers: Luke.P.Meyers@hawaii.gov; 808-733-4300

HAWAII LEGISLATIVE
ACTION COMMITTEE


community
ASSOCIATIONS INSTITUTE

P.O. Box 976
Honolulu, Hawaii 96808

February 12, 2021

Chair Jarrett Keohokalole
Vice Chair Rosalyn H. Baker
Committee on Health
415 South Beretania Street
Honolulu, Hawaii 96813

Re: SB 553 OPPOSE

Dear Chair Keohokalole, Vice-Chair Baker and Committee Members:

The Community Associations Institute recognizes the laudable health goal reflected in SB 553 but opposes the bill as written.

The bill provides that when the governor "requires persons to stay at home," smoking can be prohibited. That is, persons addicted to smoking will be both: 1) required to stay home; and 2) prohibited from smoking in their homes.

Symptoms of nicotine dependence are described by Mayo Clinic¹ to include:

You have withdrawal symptoms when you try to stop. Your attempts at stopping have caused physical and mood-related symptoms, such as strong cravings, anxiety, irritability, restlessness, difficulty concentrating, depressed mood, frustration, anger, increased hunger, insomnia, constipation or diarrhea.

Leaving aside the subjective experience of the addicted person, "anger" may present a danger to others in the home, including spouses and children. Thus, the focus on persons with "chemical sensitivity to tobacco smoke" is incomplete and may result in unintended consequences.

Moreover, the authority to prohibit smoking is not narrowly tailored. For example, some multi-unit residences may have effective filtration systems.

¹<https://www.mayoclinic.org/diseases-conditions/nicotine-dependence/symptoms-causes/syc-20351584>

Chair Jarrett Keohokalole
Vice Chair Rosalyn H. Baker
February 12, 2021
Page two

It is true that action pursuant to Chapter 127A has survived recent challenges in the United States District Court for the District of Hawaii.² SB 553 would invite further challenge, though, and put the essential features of the authority provided in that chapter at needless risk. The deference of federal courts to claims of emergency power is not limitless.

More generally, condominiums, planned community associations and cooperative housing corporations are self-governing entities that have democratic processes available to prohibit smoking. Those processes should be honored.

Consequently, CAI respectfully requests that action on SB 553 be deferred.

Very truly yours,

Philip Nerney

Philip Nerney

² See, Case 1:20-cv-00268-DKW-RT and Case 1: 20-cv-00273-JAO-WRP.



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*Garret Sugai
Kaiser Permanente*

*Catherine Taschner, JD
McCorriston Miller Mukai
MacKinnon LLP*

Date: February 15, 2021

To: Senator Jarrett Keohokalole, Chair
Senator Rosalyn H. Baker, Vice Chair
Members of the Senate Committee on Health

Re: **Support for SB 553, Relating to Smoking**

Hrg: February 17, 2021 at 1:05 PM via Videoconference

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Instituteⁱ is in **SUPPORT of SB 553**, which would allow the Governor to prohibit smoking in multi-unit housing during stay-at-home emergency orders.

The Coalition strongly supports measures that reduce exposure to secondhand and thirdhand smoke.

There is no safe level of exposure to secondhand smoke, and according to the U.S. Surgeon General, even brief exposure to secondhand smoke is dangerous and can be harmfulⁱⁱ. Inhaling secondhand smoke can have immediate detrimental effects on cardiovascular health, damaging blood vessels and increasing the risk of heart attack and strokeⁱⁱⁱ.

Secondhand smoke is also responsible for an estimated 46,000 premature deaths from heart disease and 3,400 lung cancer deaths in the United States among **nonsmokers** annually^{iv}. Infants and young children are especially vulnerable to these toxic chemicals, and exposure to secondhand smoke during pregnancy and after birth leaves them at an increased risk of Sudden Infant Death Syndrome (SIDS), poor lung development, and more frequent and severe asthma attacks, respiratory infections, and ear infections^v.

Thirdhand smoke, which is the residual tobacco toxins that remain after a cigarette is extinguished, clings to walls, ceilings, carpets, draperies, and other furniture. They remain at high levels long after smoking has stopped and has shown to re-emit back in the air as toxic compounds that can be inhaled by those that have moved into the home^{vi}. Babies and small children are especially at risk, because they breathe near, crawl, lay on, and touch contaminated surfaces.

Eliminating smoking is the only way to protect people from secondhand smoke.

Opening windows, air purifiers, and filters, cannot prevent secondhand smoke from traveling. Smoke can infiltrate neighboring units through windows, vents, and outlets. For multi-unit housing, up to 65% of the air is shared between units. In these types of properties, a smoke-free policy is the only way to fully protect residents from secondhand smoke.

Smoke-free housing is a growing trend across the nation and in Hawai'i. An independent poll^{vii} conducted by Ward Research Inc. for the Coalition, in October 2020 found that 87% of registered Hawai'i voters would choose to buy or rent a smoke-free house or apartment.

Complaints of secondhand smoke exposure in the home have increased during the pandemic. Due to the stay-at-home orders and increase in remote work and schooling, people are spending more time in their home. Unlike workplaces and schools, there are no few laws that protect people from secondhand smoke exposure in the home. Especially troubling is that underlying medical conditions, many of which can be caused or exacerbated by secondhand smoke, are known to increase the risk for severe cases of COVID-19^{viii}. It is also known to weaken the immune system and make lungs more susceptible to viral infections like COVID-19^{ix}. While the relationship between COVID-19 and secondhand smoke exposure is still uncertain, the likelihood of transmission increases with behaviors that increase risk of transferring respiratory droplets, such as smoking and exposure to secondhand smoke^x.

Thank you for the opportunity to testify in **support** of SB 553.

Mahalo,



Jaylen Murakami
Advocacy and Outreach Coordinator

ⁱ The Coalition for a Tobacco-Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute (HIPHI) that is dedicated to reducing tobacco use through education, policy, and advocacy. With more than two decades of history in Hawai'i, the Coalition has led several campaigns on enacting smoke-free environments, including being the first state in the nation to prohibit the sale of tobacco and electronic smoking devices to purchasers under 21 years of age.

The Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ U.S. Department of Health and Human Services (2010). How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking- Attributable Disease: What it Means to You, a Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health. <https://www.ncbi.nlm.nih.gov/books/NBK53017/>

ⁱⁱⁱ U.S. Department of Health and Human Services. A Report of the Surgeon General: How Tobacco Smoke Causes Disease: What It Means to You. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2010 [accessed 2017 Jan 11].

^{iv} U.S. Centers for Disease Control and Prevention (2011). Smoking and Tobacco Use: Health Effects of Secondhand Smoke. Retrieved April 20, 2011, from www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/health_effects/index.htm

^v U.S. Department of Health and Human Services (2006). *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health. <http://www.surgeongeneral.gov/library/secondhandsmoke/report/>

^{vi} Singer, B., Hodgson, A., Nazaroff, W. (2002). "Effect of absorption on exposures to organic gases from environmental tobacco smoke (ETS)" available at <http://eetd.lbl.gov/node/49332>

^{vii} This study by Ward Research, Inc. summarizes findings from a phone survey among n=800 Hawai'i registered voters (maximum sampling error +/-3.3%), conducted between September 21 – October 16, 2020.

^{viii} U.S. Centers for Disease Control and Prevention. (2021, February 3). *People with certain medical conditions*. Retrieved February 9, 2021 from <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>

^{ix} Bhat, T. A., Kalathil, S. G., Bogner, P. N., Miller, A., Lehmann, P. V., Thatcher, T. H., Phipps, R. P., Sime, P. J., & Thanavala, Y. (2018). Secondhand Smoke Induces Inflammation and Impairs Immunity to Respiratory Infections. *Journal of immunology (Baltimore, Md. : 1950)*, 200(8), 2927–2940. <https://doi.org/10.4049/jimmunol.1701417>

^x Gillespie, Claire (2020). Can You Get Covid-19 From Secondhand Smoke? Here's What Experts Say. <https://www.health.com/condition/infectious-diseases/coronavirus/secondhand-smoke-covid-19>

SB-553

Submitted on: 2/12/2021 5:16:32 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Emery	Testifying for Associa	Oppose	No

Comments:

This Bill is simply unenforceable. What people do (smoking) behind closed doors in the privacy of their home is their personal business. It's no difference in normal times or in an emergency. Defer this Bill.

SB-553

Submitted on: 2/12/2021 5:45:01 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Erteschik	Testifying for Hawaii Disability Rights Center	Support	No

Comments:

We had been contacted by an elderly couple where the husband had a respiratory condition and was tremendously bothered by the smoke from an upstairs neighbor who smoked cigarettes. We attempted to assist them but found that the law really did not protect them. As a result of covid and their being in a high risk category, they were basically homebound so they were not able to simply go outside to avoid the smoke. They apparently attempted to negotiate something with this neighbor as well as the AOA of the condominium that they owned. Those efforts were unsuccessful. We are told that the neighbor was "unreasonable" and since the building was not a "non smoking" building , the AOA felt that there was nothing they could legally do to prevent this activity within his own unit.

This bill could provide some immediate, temporary relief to these people as well as other individuals who had an underlying health condition that would make them particularly sensitive to the fumes from smoke. It is narrowly targeted since it applies only if there is a declared state of emergency. So, it avoids the potential pitfalls that could come up if the legislature were attempting to address more permanent issues related to smoking in multi-unit buildings. It really would address a serious situation, since people are literally forced to stay at home during these times and they have no way to avoid the harm and the annoyance to which they are exposed.

SB-553

Submitted on: 2/12/2021 3:15:07 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Yulia Muzychenko	Individual	Support	No

Comments:

Good idea

SB-553

Submitted on: 2/12/2021 3:38:23 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
R Laree McGuire	Individual	Oppose	No

Comments:

Strongly oppose on the grounds that residents should be able to do whatever they want within the privacy of their own homes provided the conduct is legal and smoking is legal in the State of Hawaii. If the owners seek to ban smoking within their association, then the proper means for doing so would be a vote to amend the bylaws to make the association a smoke-free project. The current bill, as drafted, is a slippery slope.....

Mahalo for your consideration.

SB-553

Submitted on: 2/12/2021 7:19:29 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Levana Lomma	Individual	Oppose	No

Comments:

Absolutely ridiculous. Why is the legislature so convinced that there will be future "pandemics". Why such extreme measures now when we have been dealing with viruses since the beginning of time without this egregious government overreach? I strongly oppose this bill.

SB-553

Submitted on: 2/13/2021 11:56:07 AM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Santiago	Individual	Oppose	No

Comments:

People have a right to privacy.

SB-553

Submitted on: 2/13/2021 3:03:22 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kristine oman	Individual	Support	No

Comments:

Research has proven that second hand smoke travels in multi-unit buildings, and that it can affect the respiratory system. Nevertheless clean air is not a right when you live in a condo. This is the situation I am in currently with no relief.

What about during COVID-19?

- 1. Is clean air necessary for someone quarantining and infected with COVID-19?**
- 2. Does a condo smoker's right prevail as default during a health crisis?**
- 3. Do the people who live and work in Hawaii have clear air rights all the time, or just in restaurants, planes, offices, entrances, and workplaces?**

For myself, if I had COVID-19, I would need to leave my home for clean air, but where could I go that I would not infect others? Can the state or county provide something safe for us?

Once marijuana is legalized...expect the numbers of smokers to increase inside multi-unit housing. What will that be like for us with breathing trouble already? Why do I have to beg for clean air?

Why is this so backwards? Shouldn't clean air be the default? Smoking has been overlooked for too long as a severe nuisance, and a health hazard to infants, children, elderly, and those with lung and heart disease.

Please vote to put a plan in place for clean air when it is so critical with a shut down, and something like COVID-19, which has been attacking the lungs.

Thank you.

Mrs. Oman

SB-553

Submitted on: 2/15/2021 8:59:41 AM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
mary santa maria	Individual	Support	No

Comments:

I support this bill, and any legislation that guarantees residents fresh air, free from contaminants of burning tobacco products. Our keiki and kupuna, really all of us, deserve this!

Humbly,

Mary Santa Maria

Public Health Educator, Maui resident.

Testimony in Strong Support of **SB 553** Relating to Smoking

Senator Jarrett Keahokalole, Chair
Committee on Health

Hearing Date: February 17, 2021 Room 229

My husband and I, both senior citizens with chronic medical conditions, are aging in place in our own condominium unit. I am a cancer survivor and have also been deemed permanently disabled due to Multiple Chemical Sensitivity (MCS) by the Social Security Administration. As such, I have been instructed by my physician to avoid toxic incitants, i.e. secondhand smoke, that exacerbate my life-threatening symptoms including respiratory difficulty and cardiac arrhythmias.

Over the past few years, our neighbor's trespassing secondhand smoke has caused us to suffer life-threatening symptoms and worsening medical conditions. Several requests to the Board, including a letter from my husband's cardiologist, have failed to obtain remedy for our situation.

In the midst of this Covid Pandemic, we find it near impossible to escape pain and suffering and simultaneously, to safely comply with the Governor's mandate to shelter in place, use face masks and maintain social distancing.

We are in dire need of assistance.

Please consider the following:

- 1) Smoking is the leading cause of preventable death in the United States, causing approximately 480,000 deaths each year, including 41,000 deaths from Secondhand Smoke Exposure in 2020. (Centers for Disease Control and Prevention, Fast Facts: Smoking and Tobacco Use [2020]).
- 2) Research demonstrates that secondhand smoke in multi-unit housing can and does transfer between units, seeping into smoke-free areas from areas where smoking occurs. (Brian King et. al., Secondhand Smoke Transfer in Multiunit Housing, 12 Nicotine Tobacco Res. 1133-41 [2020]).
- 3) The U.S. Surgeon General has concluded that there is no risk-free exposure to secondhand smoke. And that, "Eliminating smoking in indoor spaces fully protects nonsmokers from exposure to secondhand smoke. Separating smokers from

nonsmokers, cleaning the air and ventilating buildings cannot eliminate exposures of nonsmokers to secondhand smoke.”

- 4) The American Heart Association and the American Lung Association recommend that all adults and children be protected from secondhand smoke in multi-unit housing. (American Heart Association, Policy Position on Smoke-Free Policies in Multi-Unit Housing [2013]). (American Lung Association, Public Policy Position - Healthy Air [2019]).
- 5) Secondhand smoke causes exacerbation of underlying health conditions - thus a significant risk factor for more severe Covid19 symptoms. Pertinent to this testimony, according to the 2014 Surgeon General’s Report, there is sufficient evidence that cigarette smoke exposure compromises the immune system and immune homeostasis. The potential role of the immuno-compromising nature of secondhand smoke is further reinforced by ongoing research that specifically documented the link between the two.

For the foregoing reasons that support the significant purpose of this legislation, I pray that you and your committee will pass this bill.

Thank you for the opportunity to provide this written testimony.

Respectfully submitted by,
Adeline Porter

SB-553

Submitted on: 2/15/2021 2:16:18 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Mih	Individual	Support	No

Comments:

Dear Senators:

As a pediatrician and medical director of the Kapi'olani Smokefree Families Program, I support this bill. The American Academy of Pediatrics has endorsed banning smoking in multi-unit housing as one key measure in improving the health of infants, children, adolescents, and pregnant women.

Secondhand smoke has been clearly linked with cancer, lung disease, poor fetal development, and other health problems. Smoke can travel to adjacent units, through ventilation systems, and via hallways.

Banning smoking in multi-unit housing is especially helpful for children, who have still-developing lungs and are easily harmed by smoke exposure. Children exposed to tobacco smoke are at risk for asthma and other respiratory illnesses, earaches, and Sudden Infant Death Syndrome (SIDS). Some populations are more likely to become sick from smoke exposure such as children, the elderly, people with disabilities, or pregnant women. Some of these groups are also more likely to live in public housing buildings and can be easily exposed to smoke.

This is a common sense measure that will improve the health of many of our community who live in multi-unit housing.

Mahalo for your consideration and support of this important measure.

Sincerely,

Bryan Mih, MD, MPH, FAAP

Pediatrician

SB-553

Submitted on: 2/15/2021 5:55:02 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Winters	Individual	Oppose	No

Comments:

Condo's are private property. Respect that.

SB-553

Submitted on: 2/16/2021 7:19:10 AM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John A. H. Tomoso	Individual	Support	No

Comments:

02-16-21

RE: SB553

Aloha

I write to support this Bill per its provision to protect people from 2nd hand smoke. I am "people" and therefore a victim of this ongoing public health crisis in our communities. Please, especially for the sake of our keiki and younger generations, pass this Bill.

Mahalo

John A. H. Tomoso+, MSW

51 Ku'ula St, Kahului, HI 96732-2906

808-280-1749, john.a.h.tomoso@gmail.com

cc: CTFH-Maui

SB-553

Submitted on: 2/16/2021 11:41:15 AM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ian Chun	Individual	Support	No

Comments:

Aloha,

My name is Ian Chun and as a medical student, I fully support the passage of this bill. As has been irrefutably shown, the effects of second-hand smoke are both insidious and extremely detrimental to one's health. While some may choose to smoke despite its adverse health impacts, it is unfair for others to suffer based upon another individual's choices. Particularly of concern are vulnerable populations such as children that must reside with their parents and can come into contact with cigarette smoke which leads to heart and lung-related disease in the future. In our current pandemic and time of crisis, the effects of smoking and second-hand smoke are made more apparent as we are made to shelter in place. This also has a disproportionate impact on already vulnerable populations as crowded multi-unit housing complexes are vectors of second-hand smoke and their habitants are generally of lower socioeconomic status. I believe it is our collective duty as a community to care for vulnerable groups which is why I believe smoking in shared residences should be prohibited especially in times of crises when our social inequities are made more apparent.

Thank you,

Ian Chun

SB-553

Submitted on: 2/16/2021 12:36:48 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Masuda	Individual	Support	No

Comments:

I am in strong support of SB 553, Relating to Smoking.

As a grandmother of a 2-1/2 year old toddler who lives in a condo where smoking is still allowed, I am very much concerned that he has been breathing secondhand smoke since birth. According to the U.S. Surgeon General, there is no safe level of exposure to secondhand smoke. Until the by-laws of this condominium is amended (which may take up to a year), passage of this bill will allow the governor to prohibit smoking immediately.

In behalf of all infants and children and individuals with respiratory diseases and multiple chemical sensitivities living in condos during an emergency order to stay at home, I strongly urge the committee to pass SB 553.

Thank you for the opportunity to submit this testimony in support of SB 553.

SB-553

Submitted on: 2/16/2021 4:52:03 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Testifying for Hawaii Smokers Alliance	Oppose	No

Comments:

We oppose this bill.

LATE

SB-553

Submitted on: 2/16/2021 4:37:29 PM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
B.A. McClintock	Individual	Support	No

Comments:

Smoke has sent many of our people here in Hawaii to the hospital. This bill is a "must ". Please support it for the sake of our keiki and everyone's health.

LATE

SB-553

Submitted on: 2/17/2021 10:24:01 AM

Testimony for HTH on 2/17/2021 1:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Fults	Individual	Oppose	No

Comments:

HB 533 is well-intentioned but fundamentally flawed and **should be deferred**. Major problems include:

1. **HB 533 will produce no meaningful protection for sharks because targeted fishing for sharks (the focus of the bill) is already a rare activity in Hawaii.** There is no demand for shark meat in Hawaii and shark fins are already banned. Coastal sharks are not sold at the fish auction nor at the various fish markets around the state. We have no commercial or recreational fisheries for coastal sharks in Hawaii. Fishers in Hawaii try to avoid sharks. There is no evidence of any decline in Hawaii coastal shark populations.

2. **It is unenforceable.** All fishing methods used to target sharks can be legitimately used to catch other species of fish thus it would be impossible to prove that sharks were being targeted. Fishers who inadvertently capture sharks could not be distinguished from those targeting sharks.

3. **It does not address the locally more significant issue of shark bycatch** where sharks are inadvertently captured by fishers targeting other species.(e.g. gill net mortalities of hammerhead pups). Bycatch is the only area is where conservation gains are to be made with coastal sharks in Hawaii because Hawaii is already free of key stressors (e.g. significant targeted fishing) associated with shark declines in other regions. HB 533 threatens ongoing community outreach and citizen science programs that engage stakeholders in shark bycatch mitigation efforts.

4. **As yet completely undefined permit requirements could jeopardize legitimate conservation research** crucial to understanding the health of shark populations in Hawaii and designing effective fact-based conservation and management strategies.

We can and should do much better than this bill when it comes to designing effective strategies for shark conservation