

## testimony

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**From:** jas pascua [jazpascua@hotmail.com]  
**Sent:** Wednesday, March 26, 2008 8:58 AM  
**To:** Sen. Roz Baker; testimony  
**Subject:** WAM Committee/ Testimony for HB.2283, Public hearing scheduled for 3-28-08 at 9:30 am. room 211

Senator Rosalyn H. Baker, Chair  
Senator Shan S. Tsutsui, Vice Chair  
Health Committee  
Wednesday, March 26, 2008

### Support of HB.2283 HD\_1, Relating to Tattoo Artist

Dear Senator Baker,

My name is Jas J. Pascua introducer of HB.2283, Thank you for allowing this bill to be heard, This bill would allow the State Health Department to issue temporary certificates to our licensed tattoo artists and allow them to demonstrate tattooing in a controlled and approved venue such as trade show & convention style setting.

This event will not only demonstrate the art of tattooing, but as for educational purposes, through seminars and workshops which deals with health and safety related issues. This event will also showcase the art of Polynesian & Filipino tribal tattoos and also tattooing from different cultures as well. It will not be a financial burden to the State, but it may bring in additional revenues to the State Department by issuing temporary certificates at a nominal fee, monies collected should off set any cost that it may incur.

I was instructed by (Sanitation Branch Manager of the State Health Department) back in mid 2007 ' in order to circumvent existing administrative rules, is to have Governor's office declare an emergency ruling, have court overturn the rule, or by modifying the rule through legislation.' which I have taken his instructions into consideration.

By allowing us to produce a tattoo expo, our local and licensed tattoo artist will be able to express their passion, talents and livelihood for the people of Hawaii and our kamaianas, other than in a permitted tattoo shop or establishment.

In a recent measure that was submitted by The State Health Department (HB2283\_SD1\_SSCR3119\_) it has drawn attention from a notable tattoo artist in Hawaii. Which we are very much concern about opening the flood gates to the rest of the country and even the world by "allowing unlicensed tattoo artist to operate temporarily" this measure will definitely hurt our local artists. It seems that the DOH is revamping its whole licensing procedures which does not pertain to our initial HB.2283  
[http://www.capitol.hawaii.gov/session2008/Bills/HB2283\\_SD1\\_.htm](http://www.capitol.hawaii.gov/session2008/Bills/HB2283_SD1_.htm)

Below is the view of a renowned local artist:

**'Here are my thoughts....I do think it will open up the flood gates, artist from out of state will come and not leave. I am not in favor of having artists from out of state, I went through this in New York, after a convention over 40 shops opened in three months and it hurt the local business. I personally will not be affected as I have a two year waiting list, but I do believe it will affect many local Hawaii artist that I have much respect for.'**

I humbly and respectfully ask for HB.2283 to be past, in a way that it does not jeopardize or hurt our local artists, which is our greatest concern at this time.

3/26/2008



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Committee on Ways and Means**

**H.B. 2283, HD1, SD1, Relating to Tattoo Artists**

**Testimony of Chiyome Leinaala Fukino, M.D.  
Director of Health**

**Friday, March 28, 2008  
9:30 a.m.**

- 1 **Department's Position:** The Department of Health supports this bill with reservations.
- 2 **Fiscal Implications:** An increase in funding and staffing will be required to adequately effect the
- 3 changes this bill would require for investigating the background and license of tattoo artists applying for
- 4 temporary certificates of registration to perform tattooing in Hawaii. The financial burden to the general
- 5 public should be minimized by including provisions in the bill that would allow the department to
- 6 charge fees for these temporary certificates of registration and temporary tattoo establishment permits.
- 7 Additional funding may also be required for administrative rule changes.
- 8 **Purpose and Justification:** The intent of this bill is to allow appropriately licensed tattoo artists to
- 9 practice tattooing in Hawaii without a valid Hawaii State Tattoo License for a period of 14 calendar
- 10 days.

11       Given the maturity of the industry and its ability to practice in a sanitary manner, we support this

12 bill with reservation. Our information regarding infection rates from tattoos [Centers for Disease

13 Control and Protection (CDC) and DOH Disease Investigation Branch] show that commercial tattoo

14 artists are not responsible for significant numbers of transmitted infections. We recommend that the

1 regulatory system for licensing of all tattoo artists in Hawaii be changed from licensing to one of  
2 registration whereby the department has means to keep track of practitioners.

3 The department would suggest that Sections 321-373 through 321-383, PART XXX. TATTOO  
4 ARTISTS, Hawaii Revised Statutes, be repealed and with a commitment by the department to amend  
5 HAR 11-17 Tattoo Artists to allow registration of appropriately licensed tattoo artists to practice  
6 tattooing without a valid Hawaii tattoo artist license. The department has attached a proposed bill to  
7 repeal Sections 321-373 through 321-383, Part XXX TATTOO ARTISTS, Hawaii Revised Statutes.

8 We would also like to add that licensing of individuals is only one law facing tattoo artists who  
9 want to practice in Hawaii. Our regulations only allow tattooing in a permitted tattoo establishment.  
10 There are no provisions for a temporary tattoo shop in a convention or trade show type setting.

11 Thank you for the opportunity to testify.

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A BILL FOR AN ACT

RELATING TO TATTOO ARTISTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Chapter 321, Part XXX, Hawaii Revised Statutes  
2 is repealed.

3       SECTION 2. This Act shall take effect upon approval.

4                   INTRODUCED BY: \_\_\_\_\_

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