



GOV. MSG. NO. 1401

EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 10, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin K.Y. Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say, and Members of the Legislature:

Re: Statement of Objection for House Bill No. 46

On July 10, 2012, I returned House Bill No. 46, H.D. 2, S.D. 2, without my approval. Due to errors in the Statement of Objections, I would like to submit this corrected version of the document, to accompany the returned bill.

Since
Neil Abercrombie

NEIL ABERCROMBIE
Governor, State of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 10, 2012

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 46

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 46, entitled "A Bill for an Act Relating to Public Housing."

The stated purpose of this bill is to prohibit smoking of tobacco or any other plant material in all public housing projects, state and federal, owned and administered by the Hawaii Public Housing Authority. The bill would ban smoking within the residential units, designated common areas, and within twenty feet of any building, and smoking would only be allowed in designated smoking areas that are not within twenty feet of any building. The bill would take effect upon my approval.

I agree with the underlying objective of the bill. Smoking is a public health issue and we should encourage our citizens to stop, but I agree with the Hawaii Public Housing Authority that implementing an incremental ban throughout the housing projects within the next twelve months is a practical path to a successful plan. It is a fact that a number of the residents are chronic smokers and it would be difficult to expect them to stop immediately. Further, establishing designated smoking areas runs counter to what is desired for making public housing smoke-free.

The Authority has already held meetings and discussions with various tenant associations at the housing projects to provide sufficient notice to the residents of the coming smoking ban, and has established a schedule of when specific housing projects will be required to implement the smoking ban. Additionally, the Authority is already drafting proposed administrative rules to implement the smoking ban consistent with the provisions of the bill. Accordingly, I believe the Authority should be allowed the

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opportunity to continue to implement the objective of the bill using its own administrative discretion.

For the foregoing reasons, I am returning House Bill No. 46 without my approval.

Aloha
Respectfully,
Neil Abercrombie
NEIL ABERCROMBIE
Governor of Hawaii