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Honolulu, Hawaii March 6 , 2015

RE: H.B. No. 586 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 586, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO USE OF TOBACCO PRODUCTS AND E-CIGARETTES ON HAWAII HEALTH SYSTEMS CORPORATION PREMISES,"

begs leave to report as follows:

The purpose of this measure is to promote positive health practices that protect the occupants of Hawaii Health Systems Corporation's (HHSC) health facilities from exposure to secondhand smoke and other potentially harmful substances by:

- Prohibiting the use of any tobacco product or ecigarette, also known as an "electronic smoking device," on the premises of all health facilities operated by HHSC; and
- (2) Requiring HHSC to provide tobacco cessation programs for public employees of its health facilities.

The American Heart Association, Coalition for a Tobacco Free Hawaii, Healthcare Association of Hawaii, and many concerned individuals testified in support of this measure. The Department of Health and HHSC testified in support and recommended amendments. The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, testified in support of the intent, but had concerns with parts of this measure. One concerned individual testified in opposition.

HB586 HD2 HSCR JUD HMS 2015-2156

Your Committee has amended this measure to:

- (1) Clarify that HHSC is responsible for the cost of tobacco cessation programs for its public employees;
- (2) Specify that prohibition of tobacco and electronic smoking device use by public employees shall be subject to consultation with collective bargaining units;
- (3) Clarify the definitons of "electronic smoking device" and "tobacco product"; and
- (4) Change the effective date of this measure to July 1, 2050 to encourage 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. 586, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 586, H.D. 2.

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

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Judiciary

	e Referral: LT, JUD	Date	2/24/15	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X		· · · · · · · · · · · · · · · · · · ·	
2. SAN BUENAVENTURA, Joy A. (VC)	۲¥			
3. BELATTI, Della Au	×			
4. BROWER, Tom	<u>بر</u> ج			
5. CREAGAN, Richard P.	×			
6. HASHEM, Mark J.	X			
7. KAWAKAMI, Derek S.K.	×			
8. LEE, Chris	×			
9. MORIKAWA, Dee	.۴			
10. NAKASHIMA, Mark M.	×		······································	·
11. TAKAYAMA, Gregg	X			
12. WOODSON, Justin H.	×).			
13. MCDERMOTT, Bob				\checkmark
14. THIELEN, Cynthia	X			:
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TOTAL (14)	13	0	0	1
The recommendation is: Adopted Not Adopted If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO				

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