

COUNCIL OF THE COUNTY OF MAUI  
**COMMITTEE OF THE WHOLE**

November 3, 2006

**Committee  
Report No.**

06-131

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Committee of the Whole, having met on October 17, 2006, makes reference to County Communication No. 06-213, from the Director of Finance, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 8.20, MAUI COUNTY CODE, PERTAINING TO SMOKING".

The purpose of the proposed bill is to repeal Chapter 8.20, Maui County Code, pertaining to smoking, due to the passage by the Hawaii State Legislature of Act 295 (2006), which prohibits smoking in places open to the public and places of employment.

Your Committee notes that Act 295 (2006) will become effective on November 16, 2006.

At its meeting, your Committee met with the Director of Finance and the Corporation Counsel.

There was no public testimony. Your Committee received a brief overview of the proposed bill from the Director of Finance who noted that Act 295 (2006) is more restrictive than Chapter 8.20 of the Maui County Code. He further stated that Act 295 (2006) will ensure consistency throughout the State regarding smoking prohibitions in places open to the public and places of employment.

Your Committee voted to recommend passage of the proposed bill on first reading and filing of the communication.

Your Committee is in receipt of a revised proposed bill incorporating nonsubstantive revisions, changing the effective date of the bill from "November 16, 2006" to "upon approval" because final passage of the proposed bill by the Council is not expected until after November 16.

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Your Committee of the Whole RECOMMENDS the following:

1.     That Bill No. \_\_\_\_\_ (2006), attached hereto and revised herein, entitled "A BILL FOR AN ORDINANCE REPEALING CHAPTER 8.20, MAUI COUNTY CODE, PERTAINING TO SMOKING", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
  
2.     That County Communication No. 06-213 be FILED.

Adoption of this report is respectfully requested.

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