

STAND. COM. REP. NO.

2432

Honolulu, Hawaii

MAR 01 2012

RE: S.B. No. 2819

S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2819 entitled:

"A BILL FOR AN ACT RELATING TO SALES OF ELECTRONIC CIGARETTES,"

begs leave to report as follows:

The purpose and intent of this measure is to tax electronic cigarettes in the same manner as tobacco products and to prohibit the sale of electronic cigarettes to minors.

Your Committee received testimony in support of this measure from Department of Taxation, Department of Health, Honolulu Police Department, and sixteen individuals.

Your Committee received testimony in opposition to this measure from Volcano Fine Electronic Cigarettes; Michael Jay Green, Esq.; and 1,048 individuals.

Your Committee received comments on this measure from Tax Foundation of Hawaii and eight individuals.

Your Committee has amended this measure by:

- (1) Deleting language adding electronic cigarettes to the definition of "tobacco products", which would subject electronic cigarettes to the same taxation as tobacco products; and



- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2819, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2819, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
\_\_\_\_\_  
DAVID Y. IGE, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB2819</b>	Committee Referral: <b>WAM</b>	Date: <b>2-10-12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
	✗			
<b>TOTAL</b>	<b>14</b>			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kelani</div>				
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\*Only one measure per Record of Votes