

L A T E

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

In reply, please refer to:  
File:

## HOUSE COMMITTEE ON HEALTH

### SB1168, SD1, RELATING TO TOBACCO PRODUCTS

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Director of Health

March 16, 2012  
9:30AM, Rm. 329

1 **Department's Position:** The Department of Health supports this measure to make it unlawful for a  
2 minor to use tobacco products.

3 **Fiscal Implications:** There would be no fiscal impacts to the general fund.

4 **Purpose and Justification:** This measure would amend section 709-908, HRS to make it unlawful for  
5 a minor, under 18 years of age, to use tobacco products and enables a law enforcement officer to  
6 confiscate the tobacco product used in violation of this section.

7 The measure proposes to establish a parallel, similar to that for alcohol, where it would be  
8 unlawful for a minor to not only purchase but to use tobacco products and provides that a law  
9 enforcement officer confiscate the tobacco product being unlawfully used.

10 Previous proposals created penalties that necessitated that a police officer take the youth down to  
11 the station and book them, creating a criminal record that could affect a job or college application.  
12 Clearly the penalty did not match the offence and the Department has opposed these bills.

13 The SD1 version of the bill would simply call for any law enforcement officer to confiscate a  
14 tobacco product used in violation of this subsection. Confiscation of the tobacco product used would

1 send a clear and correct message that if consistently enforced, persons under 18 years of age should not  
2 use tobacco products.

3 Smoking and tobacco use are Hawaii's and the nation's leading cause of preventable illness and  
4 death resulting in over 1,100 resident deaths annually and costing over \$640 million for health care and  
5 lost productivity. Hawaii's smoking and tobacco use rates are low for both middle and high school  
6 students as a result of a supportive foundation of protective laws and a comprehensive tobacco control  
7 effort by the Department and community partners.

8 This measure would add to the body of supportive laws and community norms to prevent youth  
9 from beginning an addictive tobacco use lifestyle.

10 Thank you for the opportunity to testify on this measure.

3/16/12  
9:30 am

L A T E

The Honorable Ryan Yamane, Chair  
And Members  
Committee on Health  
The House  
Honolulu, Hawaii 96813

Dear Chair Ryan Yamane and Members:

Subject: Senate Bill No. 1168, SD1, Relating to Tobacco Products

My name is Courtney Nomiyama, and I am a 16-year-old student at St. Andrew's Priory.

I stand in strong support of Senate Bill no. 1168, SD1 which prohibits individuals under 18 years of age from using tobacco and allows a police officer to confiscate the drug.

As a person with family members who have experimented with tobacco, including minors, I can attest to its horrific, harmful effects. Not only does it create a multitude of lung problems and ensure long-term illness, it also creates an unhealthy daily lifestyle that detracts the overall mental and physical condition of the individual. My family members who have experimented with tobacco have not yet fully recovered and continue to struggle with finding a stable job and a permanent household.

The way that today's teenagers could understand these consequences and take responsibility for their actions is through the enforcement of this bill. By raising awareness of the harmful effects of tobacco and having law enforcement officials physically remove the drug from possession, teenagers like me would take the issue seriously and understand the possible negative ramifications of their actions. Personally speaking, confiscation of something in my possession by one legally in charge would definitely wake me up and force me to rethink my actions as well as my lifestyle.

If Hawaii is to truly take a stand and show concern for its minors on the issue of tobacco use, this bill would be the answer. Thus, I can only ask for your strongest support on this bill.

Thank you for the opportunity to testify.

*Courtney Nomiyama*

Courtney Nomiyama  
Student at St. Andrew's Priory

# Let's Roll

LATE

H A W A I I

Hawaii's Premier Tobacco Supply

Date: 3/16/12

The Honorable Ryan I Yamane, Chair  
And members of Committee on Health  
House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

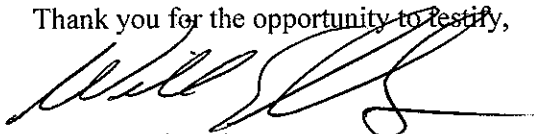
Dear Chair Yamane and Members:

Subject: Senate Bill SB 1168, SD 1, Relating to Tobacco Products

Let's Roll Hawaii supports SB 1168 SD 1 to make it unlawful for a minor to use tobacco products. We understand that the decision to smoke should be made by mature adults as it involves considerable risk. We do NOT encourage people to start at any age. We do feel that a combination of preventive education and enforcement will help keep minors from starting in the first place.

Our position is that if it is illegal for a minor to buy tobacco products, then it should also be illegal for minors to use it, and there should be consequences for breaking the law.

Thank you for the opportunity to testify,



William Edwards