

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: abemaster77@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 11:38:36 AM
Attachments: [Abe A-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Abrahm Arkin
Organization: Individual
E-mail: abemaster77@hotmail.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

February 7th, 2012

Dear Legislators:

My name is Abe Arkin and I'm from Kona. I am part of REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I'm in strong support of SB 2819 to restrict electronic cigarettes.

I strongly support an age restriction on e-cigarettes. Currently there are no age restrictions on this hazardous product. With no age restrictions currently in place, there is a potential for youth to purchase and use this product. E-cigarettes do have Nicotine, an addictive substance. Supporting an age restriction would restrict youth access to these products and decrease the use of nicotine by youth. Ultimately reducing the number of people who become addicted to nicotine will reduce health problems and keep many generations of Hawaii's people safe.

I urge you to support SB 2819 for our families and the youth of our future.

Sincerely,

Abrahm Arkin

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: m218ava@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:42:14 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Ava McKeehen
Organization: Individual
E-mail: m218ava@hotmail.com
Submitted on: 2/7/2012

Comments:

I have been using the electronic cigarette for seven months now. I was an avid user of tobacco cigarettes before, and had no intention or desire to quit. However, I did feel afraid of the health risks, especially since both sides of my family are prone to cancer; and I felt guilty because my daughter was generally exposed to my second-hand smoke. She didn't like the smell, but I "needed" to smoke.

My husband started using the electronic cigarette, and after a few weeks of watching how excited he was about it, I vowed to give the electronic cigarette a valid attempt. It worked! I was able to give up tobacco cigarettes completely! In fact, I even prefer the electronic cigarette now.

My health has already improved dramatically from using the electronic cigarette. Before I quit using tobacco cigarettes, I would try to run on my treadmill, but when my heart heated up and my body needed to take in more oxygen, my lungs just wouldn't do it. I could feel in my lungs that I could only breathe in about half the way into my lungs; and that was from a mere thirty minutes of jogging. Now, however, I can run for ninety minutes, and when I breathe in, I can breathe all the way to the bottom of my lungs. When I'm done running for ninety minutes, I feel my muscles exhausted, but my breathing stays fine. I used to cry from frustration about not being able to take those full, deep breaths. But now I can exercise, and push myself to stay healthy without giving up. Thus, not only are my lungs healthier for being off of tobacco, but my whole body is healthier because I can take the full breaths that transport the necessary oxygen throughout my body. Additionally, I can exercise extremely well now (that I can breathe), which has helped me lose excess weight, and bring my blood sugar to normal, and has dramatically helped with my mental health.

I now have lowered my high-risk of getting cancer, which as I mentioned is prevalent in both sides of my family. I have hope that I will live a long, healthy life with my daughter. I can run, swim, and hike now. I don't feel depressed, sluggish, or angry. I have been able to stop smoking tobacco cigarettes, which is something that I Never believed that I could do. I was terrified of the idea, and wouldn't even consider it. The electronic cigarette has changed my life. I feel amazing. I never knew that so many of my problems were related to tobacco (I was in massive denial), but now that I have been off of that for seven months, I realize the many areas that were affected. Lastly, the money that I have saved since quitting smoking tobacco cigarettes, I have used to put my daughter in tennis lessons!

I oppose this bill. I oppose taxing electronic cigarettes at a higher rate. They are already a bit pricy, and if the tax is raised to the amount that is proposed, there is no way that I, or my husband, could afford them. The very thought of this sickens me. The Volcano store is where I buy my ecig products, and they already do Not sell to minors. In fact, before they moved to a kiosk in the mall, they wouldn't even allow minors in their store. They do care about their customers, and their customers' health.

Hawai'i television commercials advertise as wanting to help us get off of tobacco cigarettes. Well, I have tried the patch, and I have tried will-power. They didn't work. I Need this electronic cigarette for my physical and mental health, my husband's health, and our daughter's health. And most of all, I Need to

be able to afford this product.

Please do not ruin the best thing that has happened in my, and my family's, life. Leave the electronic cigarette companies alone. Do not raise the taxes, or place restrictions on them that make it impossible for them to continue their business. Electronic cigarettes are not cute, novel products. They are an alternative to tobacco cigarettes that actually works.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: smokefree@compuserve.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 11:02:42 AM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Comments Only
Testifier will be present: No
Submitted by: Bill Godshall
Organization: Smokefree Pennsylvania
E-mail: smokefree@compuserve.com
Submitted on: 2/7/2012

Comments:

Please approve Part II of SB 2819 since it would wisely ban the sale of electronic cigarettes (e-cigarettes) to minors, but please remove Part I from the bill because a 70% tax on the products would harm public health (by discouraging smokers from switching to far less hazardous e-cigarettes), would decimate existing e-cigarette companies in Hawaii and would generate very little state revenue (by encouraging e-cigarette consumers in Hawaii to instead purchase the products via the Internet and mail order from other states to avoid the excise tax).

Further, the definition of an e-cigarette in SB 2819 is overly broad and could result in multiple 70% taxes on e-cigarette components, and a 70% tax on components that are also used for non e-cigarette products (e.g. mechanical heating element, battery, electronic circuit, component, or related product, whether manufactured, distributed, marketed, or sold).

Please note that since I founded Smokefree Pennsylvania in 1990, we've advocated policies to reduce tobacco smoke pollution indoors, increase cigarette taxes, reduce tobacco marketing to youth, preserve civil justice remedies for those injured by cigarettes, and expand smoking cessation services. For disclosure, neither Smokefree Pennsylvania nor I have ever received any funding from a tobacco, drug, e-cigarette or any other company that markets tobacco or nicotine products.

In 2006, I coauthored a comprehensive scientific report "Tobacco harm reduction: an alternative cessation strategy for inveterate smokers" at <http://www.harmreductionjournal.com/content/3/1/37> and in 2007 the Royal College of Physicians issued a similar report "Harm reduction in nicotine addiction; Helping people who can't quit" at <http://www.tobaccoprogram.org/pdf/4fc74817-64c5-4105-951e-38239b09c5db.pdf>.

Epidemiology studies have consistently found that cigarette smoking poses 100 times greater morbidity and mortality risks than use of smokeless tobacco products in the US and Sweden, and indicate that all other noncombustible tobacco/nicotine products (including e-cigarettes, nicotine gums, lozenges, patches) also are 99% less hazardous alternatives to cigarettes.

Smokers who switch to smokefree tobacco/nicotine products reduce their health risks nearly as much as smokers who quit all tobacco/nicotine usage, and several million smokers in the US have already switched to smokeless tobacco products, e-cigarettes and/or NRT products.

More than one million smokers in the US have quit smoking or sharply reduced their cigarette consumption by switching to or substituting smokefree e-cigarettes. To date, there is no evidence that e-cigarette usage has harmed anyone, which is logical since the products emit a tiny amount of vaporized nicotine (similar to nicotine inhalers that are marketed as smoking cessation aids) and water vapor. All of the dozen plus laboratory tests conducted on e-cigarettes found that e-cigarettes emit no hazardous levels of any constituents, and that levels of nitrosamines in e-cigarettes are nearly identical (i.e. very little if any) to those in nicotine gums and patches.

<http://www.healthnz.co.nz/RuyanCartridgeReport30-Oct-08.pdf>

<http://www.starscientific.com/404/stepanov%20tsna%20in.pdf>
<http://www.healthnz.co.nz/DublinEcigBenchtopHandout.pdf>
http://www.casaa.org/files/Study_TSNAs_in_NJOY_Vapor.pdf
<http://www.totallywicked-eliqoid.co.uk/about-the-fluid/lab-reports.html>
http://cdn.johnsoncreeksmokejuice.com/downloads/JCE_GCMS_Report.pdf
<http://www.libertystix.com/LibertyStixLabAnalysis072309.pdf>
<http://truthaboutecigs.com/science/8.pdf>
<http://www.casaa.org/files/Exponent%20Response-to-the-FDA-Summary.pdf>
<http://www.hsph.harvard.edu/centers-institutes/population-development/files/article.jphp.pdf>
<http://www.tandfonline.com/doi/abs/10.1080/10826076.2011.572213>

A Literature Review for Glycerol and Glycols for Entertainment Services & Technology Association also found no health risks to humans http://tsp.plasa.org/tsp/working_groups/FS/docs/HSE.pdf, while new pharmacology, pharmacokinetic and toxicology studies at <http://www.sciencedirect.com/science/article/pii/S0300483X11002095> found that laboratory animals were not harmed by very high levels of propylene glycol aerosol.

E-cigarettes also have been found to contain/emit similar or lower levels of nicotine than nicotine gums and lozenges <http://www.healthnz.co.nz/2010%20Bullen%20Ecig.pdf> and <http://www.casaa.org/files/Virginia%20Commonwealth%20University%20Study.pdf>. This indicates that e-cigarettes emit enough to satisfy the cravings of smokers, but may not emit enough nicotine to addict nonsmokers. There is no evidence that any youth or non-tobacco users have become addicted to e-cigarettes.

Many published surveys have confirmed that e-cigarettes satisfy the cravings of smokers, help many smokers quit and/or sharply reduce cigarette consumption, and provide perceived health benefits to users who switched from cigarettes.

<http://ntr.oxfordjournals.org/content/early/2011/05/12/ntr.ntr088.full.pdf+html>
<http://www.biomedcentral.com/content/pdf/1471-2458-10-231.pdf>
<http://tobaccoharmreduction.org/thr2010yearbook.htm> (see chapter 9)
<http://ectoh.org/documents/3B.5%20Etter%20Electronic%20cigarettes%20-%20Utilization%20satisfaction%20and%20perceived%20efficacy.pdf>
<http://www.ajpmonline.org/webfiles/images/journals/AMEPRE/AMEPRE3013.pdf>
<http://www.ncbi.nlm.nih.gov/pubmed/21801287>
<http://www.scribd.com/doc/61623650/Electronic-Cigarettes%E2%80%94Users-Profile-Utilization-Satisfaction-and-Perceived-Efficacy>

A recently published e-cigarette study at <http://www.casaa.org/news/article.asp?articleID=197&l=a&p=> found that 22.5% of participating smokers remained smokefree after 24 weeks and another 32.5% of participants reduced daily cigarette consumption by 50%, including 12.5% who reduced daily cigarette consumption by 80%.

A Japanese study similarly found e-cigarettes to be effective for decreasing cigarette consumption http://www.jstage.jst.go.jp/article/seikatsueisei/55/1/55_59/article, while a recent case study found e-cigarettes effective for smoking cessation among depressed patients <http://www.scirp.org/journal/PaperInformation.aspx?paperID=6134&publishStatus=2>.

Former FDA Commissioner David Kessler has also acknowledged the benefits of smokeless tobacco, dissolvables and e-cigarettes as less hazardous alternatives for cigarette smokers at <http://www.westport-news.com/business/article/Q-A-Former-FDA-Commissioner-talks-about-tobacco-1735433.php> by stating "there's no doubt that in terms of risk of death there are some advantages to that substitution."

Other public health organizations that have extensively studied e-cigarettes have also endorsed their use by smokers, including The American Association of Public Health Physicians <http://www.regulations.gov/search/Regs/home.html#docketDetail?R=FDA-2010-P-0093> and the American Council on Science and Health http://www.acsh.org/factsfears/newsID.2849/news_detail.asp.

Once again, please remove the 70% tax from SB 2819, and then approve the bill to ban e-cigarette

sales to minors.

Sincerely,

William T. Godshall, MPH
Executive Director
Smokefree Pennsylvania
1926 Monongahela Avenue
Pittsburgh PA 15218
412-351-5880
smokefree@compuserve.com

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: gwincl@hawaii.rr.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 8:22:43 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Charles Gwin
Organization: Individual
E-mail: gwincl@hawaii.rr.com
Submitted on: 2/7/2012

Comments:

As a 49 year old male with a 38 year history of smoking traditional tobacco based cigarettes to classify Electronic Cigarettes as anything other than a "Tobacco Cessation Device" would be a failure and severe injustice to those who truly wish to stop smokin. I can say this after trying every other "Approved Tobacco Cessation Method" currently available to include Welbutrin and Chantix to quit without success until the day I tried my first Electronic Cigarette. That day was 26 November, 2011. On that glorious day I went from being a four pack a day cigarette user to a zero Tobacco based cigarette user... I QUIT SMOKING AFTER 38 MISERABLE YEARS! I will consider this my official statement OPPOSING this SB2819 and will gladly verify this as such via telephone (808-398-8352) or in person if required.

Sincerely,
Charles Gwin
91-1112 Hoilili St.
Ewa Beach, HI. 96706

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: christineknapp@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 8:14:21 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Christine Knapp
Organization: Individual
E-mail: christineknapp@hotmail.com
Submitted on: 2/7/2012

Comments:

I had smoked for 25 years. E-cigarettes are the only product that has helped me quit this addiction. I understood the reasons behind cigarette tax, however they seem unjustified for e-cigarettes. This kind of product is helping people make healthier choices for their lives, they should not be punished for this by paying taxes. It feels like this is a tax not to help the people but to just find something new to collect taxes on. This product is still too new and not enough studies have been done to make informed decisions on what category it should fall into. Please do not support this bill, it could help push alot of former smokers back to smoking cigarettes. Thank you



THE OFFICIAL SPONSOR OF BIRTHDAYS.™

February 7, 2012

Senate Committee on Ways and Means
Senator David Ige, Chair
Senator Michelle Kidani, Vice Chair

Hearing:

State Capitol Room 211
February 8, 2012, 9:00 a.m.

SB 2819 – Relating to the Sale of Electronic Cigarettes

Thank you for the opportunity to testify in support of SB 2819, which defines electronic cigarettes, prohibits the sale of electronic cigarettes, and treats electronic cigarettes as tobacco products for the purpose. The American Cancer Society is the nationwide, community-based, voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives, and diminishing suffering from cancer, through research, education, advocacy, and service.

On April 25, 2011, the U.S. Food and Drug Administration (FDA) made its initial announcement that it intends to regulate most electronic cigarettes as a separate class of tobacco products. More clarification is needed, however, from the FDA on exactly how it will regulate these products. Until that time, it will not be clear how a state's laws could best work in conjunction with federal regulations concerning e-cigarettes. We recommend that states keep this in mind when regulating e-cigarettes and proceed with caution.

The American Cancer Society supports the application of existing state youth access laws limiting the sale of e-cigarettes and e-cigarette cartridge refills to adults ages 18 and older.

Although electronic cigarettes are a different class of tobacco product, the American Cancer Society would support taxing e-cigarettes at a rate equivalent with traditional cigarettes. We will be developing further recommendations regarding taxing both e-cigarette devices and cartridge refills.

There is still no scientific evidence that e-cigarettes can help smokers quit. The U.S. Public Health Service has found that that the seven therapies approved by the U.S. Food and Drug

Administration in combination with individual or group cessation counseling is the most effective way to help smokers quit. Until and unless the FDA approves a specific e-cigarette for use as a tobacco cessation aid, the American Cancer Society does not support any direct or implied claims to that effect.

We also want to remind the committee that very little is known about e-cigarette prevalence rates among both adults and youth. In addition to regulations, we would encourage surveillance questions be included in all appropriate state surveys in order to monitor the growing use of e-cigarettes.

Thank you for allowing us the opportunity to provide this testimony on this measure.

Sincerely,

A handwritten signature in black ink that reads "Cory Chun". The signature is written in a cursive style with a horizontal line extending to the right.

Cory Chun
Government Relations Director

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: danah@sentwithaloha.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 11:46:35 PM
Attachments: [volcano support letter.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Dana Hileman
Organization: Individual
E-mail: danah@sentwithaloha.com
Submitted on: 2/7/2012

Comments:

Aloha Ladies and Gentlemen,

Thank you for this opportunity to participate in this process. I have been a Volcano Brand E-cig customer for over a year now. I went totally from regular cigarettes to just vapor e-cigs right at a year ago. It wasn't easy putting down a two pack a day habit. It was a stress on my finances, health and frankly I smelled awful.

Today, I don't get out of breath going up the stairs. I haven't been ill with the crud that usually finds me first. I don't smell like an ashtray. I don't contribute to the butts on the street. I don't wake up every morning coughing and choking because I was smoking last night before bed. And the money I have saved has been amazing. I wish this product had been here and I had been ready a few years back.

It saddens me greatly to see this being treated as a tobacco product for tax purposes. A battery is not a tobacco product, nor is the remainder of the apparatus. Putting that kind of burden on this budding industry is strangling local commerce as well as putting an unfair burden on "vapors". Alternatives to smoking regular cigarettes are needed, but if we overtax every alternative that comes out, then we are setting back those trying to help smokers that truly want to make a lifestyle change.

I may quit completely one day, but for now, I want to be heard. Limit minors access but leave the taxation off please.

Very Sincerely,
Dana Hileman
808-224-9795



To: The Honorable David Ige, WAM Chair
The Honorable Michelle Kidani, WAM Vice Chair

Fr: Deborah Zysman, MPH; Executive Director
Hrg: February 8, 2012; 9:00am Room 211
Re: Support for SB2819

Thank you for the opportunity to offer testimony in support of SB2819. This measure will classify electronic cigarettes as a tobacco product, restrict the sale of the product to minors under the age of 18, and subject the sale of all electronic cigarette related products to the tobacco tax.

The Coalition for a Tobacco Free Hawaii (Coalition) is the only independent organization in Hawaii whose sole mission is to reduce tobacco use through education, policy and advocacy. Our organization is a small nonprofit organization of over 100 member organizations and 2,000 advocates that works to create a healthy Hawaii through comprehensive tobacco prevention and control efforts.

The electronic cigarette is a device used to vaporize liquid that contains varying levels of nicotine. Often the cartridges are candy flavored, making them enticing to youth. Currently, they are readily available at mall kiosks and small shops throughout our state and are priced as low as \$10 for the disposable varieties.

The Coalition has several concerns about e-cigarettes:

- 1) **There is no federal regulation of the contents or production.** According to the Food and Drug Administration (FDA) website:
“When FDA conducted limited laboratory studies of certain samples (of e-cigarettes), FDA found significant quality issues that indicate that quality control processes used to manufacture these products are substandard or non-existent. FDA found that cartridges labeled as containing no nicotine contained nicotine and that three different electronic cigarette cartridges with the same label emitted a markedly different amount of nicotine with each puff.”
- 2) **At present, there is virtually no research on the health effects from the use of this product.** Leading health organizations such as the American Medical Association (AMA) and the Food and Drug Administration (FDA) have expressed concerns about the e-cigarette due to the lack of scientific evidence or clinical studies on the health effect of these products.
- 3) **It is not an FDA approved smoking cessation device.** Despite claims from e-cigarette companies that the products help people to quit smoking, the e-cigarette is not an FDA approved smoking cessation device. Internationally, The World Health Organization (WHO) has stated “contrary to what some marketers of the electronic cigarette imply in their advertisements, the WHO does not consider it to be a legitimate therapy for smokers trying to quit. WHO knows of no evidentiary basis for the marketers’ claim that the electronic cigarette helps people quit smoking. Indeed, as far as WHO is aware, no rigorous peer-reviewed studies have been conducted showing the electronic cigarette is a safe effective nicotine replacement therapy.”



Given how little is known about the health effects of the e-cigarette at this point and the consumer protection issues, we are very concerned about the current accessibility of these products to our youth. It is currently legal to sell these products to children, as well as to allow sampling of the product in malls etc.

Our recommendation at the present time, based on existing public health research, is that sales to minors be prohibited, sampling be prohibited and that taxes be on par with that of other tobacco products.

Thank you for the opportunity to provide testimony in support of this measure.



Deborah Zysman, MPH
Executive Director

The Coalition for a Tobacco Free Hawaii (Coalition) is the only independent organization in Hawaii whose sole mission is to reduce tobacco use through education, policy and advocacy.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: Hartforde@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:07:46 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Elizabeth Hartford
Organization: Individual
E-mail: Hartforde@hotmail.com
Submitted on: 2/7/2012

Comments:

I am in opposition to this bill as written.

The premise that an ecigarette is to be classified as a tobacco product is flawed. There is no component of the ecigarette that contains tobacco. While nicotine may or may not be a component of the liquid used in an ecigarette, it is not tobacco as is snuff, chewing tobacco, or loose tobacco for smoking. In order to make this bill an appropriate bill for classification as a tobacco product, it would need to target nicotine products. This would then appropriately target only one portion of the ecigarette, the nicotine containing liquid used with other components of the ecigarette.

With this in mind, it would then also be appropriate to target for taxation and prohibit sale to minors, all other nicotine containing products including all smoking cessation products such as nicotine patches, gum and lozenges. It should be noted that nicotine patches are currently given out for free by our state to anyone over 18 who wishes to attempt smoking cessation and should rightfully be added as a tobacco product if nicotine in itself is to be considered for taxation.

Furthermore, targeting all components of the ecigarette for classification as a tobacco product (including batteries, chargers, plastic and metal components, carrying cases, lanyard straps, etc.) would also dictate that all smoking pipes, cigar cutters, humidors, rolling papers, etc. All be placed in this same category and be subject to the same laws and taxation. Interestingly, these products are not mentioned or targeted in any of the bills currently being considered. They too are in part and purpose specifically produced for sale as a component or accessory to smoke a tobacco product. However, this bill proposes to tax a wall charger and other electronic components as a "tobacco product". This seems a serious flaw.

Finally, this bill proposes that there are no long term studies on the use of propylene glycol. It is apparent that the writer of this bill has not done his or her homework. The studies are there and the risks are documented should one take the time to investigate.

I challenge our legislators to do their homework and know the facts before writing a sloppy, flawed bill and throwing it out for consideration as a revenue generating bill. It is clear that for all intents and purposes, this bill is in fact a revenue building scheme foisted upon the backs of a specific demographic of people yet again, to line the state coffers.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: lizheppe@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:30:49 PM
Attachments: [Liz-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Elizabeth Heppe
Organization: Individual
E-mail: lizheppe@yahoo.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Aloha Senators:

My name is Elizabeth Heppe and I am a resident of Kailua-Kona. I am a huge supporter of invoking age restrictions for electronic cigarettes through the passage of SB 2819.

Due to the lack of information known about electronic cigarettes and the harmful effects it may have on ones health, I see it only fit that we protect our youth from something that could potentially be detrimental to their health. Supporting an age restriction for E-cigarettes will lessen the already heavy burden placed on today's youth to entice them to experiment with tobacco products that are addictive.

I urge you to protect our youth from electronic cigarettes by passing SB 2819.

Thank you for your consideration and all time devoted to this cause.

Sincerely,
Elizabeth Heppe

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: eric.schultz65@cox.net
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 9:54:07 AM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Eric Schultz
Organization: Individual
E-mail: eric.schultz65@cox.net
Submitted on: 2/7/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: gbajorek@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 4:06:09 PM
Attachments: [Senate Ways and Means Committee and House Health Committee.docx](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Gregory E. Bajorek
Organization: Individual
E-mail: gbajorek@hotmail.com
Submitted on: 2/7/2012

Comments:

Gregory Bajorek

February 7, 2012

Hawaii Senate Ways and Means Committee and the House Health Committee,

Although I support the banning of the sales of electronic cigarettes to minors, I oppose Section 1 which would allow e-cigarettes to be taxed at the same rate as other tobacco products.

E-Cigarettes are in no way, shape, or form actual cigarettes or tobacco products. As you know, tobacco products must contain "tobacco", and electronic cigarettes do NOT contain tobacco. The only ingredients in electronic cigarettes are: Propylene Glycol, Vegetable Glycerin, Food Grade Flavorings, and 100% pure nicotine. Propylene Glycol is found in hospitals, medicine, food, and other products. Vegetable Glycerin is also found in food, cosmetics, and every day products. Everything in the "e-juice" is 100% US Food Grade products; only the finest, cleanest, and highest standards. Tobacco cigarettes contain more than just nicotine; in fact cigarettes contain over 4000 harmful ingredients, many of which have been linked to various cancers and other conditions including Multiple Sclerosis, Alzheimer's, and various forms of Heart Disease. Nicotine has only one negative effect, which is that it can enhance cancer causing agents' abilities to cause cancer, but by itself it CAN NOT cause cancer. Aside from this, the other health claims that have been made were researched from Cigarette Tobacco: something rarely mentioned in the health reports and studies, which also fail to mention that it wasn't pure nicotine but rather nicotine plus over 4000 other chemicals. Nicotine in itself has over 40 health benefits, including short term and long term memory improvement, memory retention, increased focus, etc., which you will find in health studies and reports on pure nicotine.

In order for a product to be considered a "tobacco" product, it must contain tobacco. By trying to make electronic cigarettes categorized into tobacco products, you are essentially saying that root beer and sparkling grape juice are to be categorized as alcohol, diabetic insulin is to be categorized as heroin, and loose clothing is to be categorized as gang colors. How is this in any way fair to the users of electronic cigarettes? Your actions are simply stating that you want to find a new form of revenue that is unfair, unjust, and un-American. It's a socialist move to categorize something with another product that simply is not, even remotely, the categorized product.

If you place electronic cigarettes into this category, then to be fair you must also categorize Corexit, over 40% of pharmaceuticals, humectants food additives, emulsification agents, moisturizers, cosmetics, food, toothpaste, shampoo, mouth wash, hair care, fragrance oil, hand sanitizers, antibacterial lotions, saline solutions, smoke machines, food colorings, food flavorings, paintballs, nontoxic antifreeze, cryonics, hydraulic press fluid, humidors, and deodorant sticks, and hundreds of more products as they all contain the same ingredients primary to e-cigarette solutions.

If it's the content of nicotine that is making you debate on placing it into the category of tobacco products, then you MUST also include Cauliflower, Eggplant, Potatoes, Green tomatoes, Pureed

Tomatoes, Ripe Tomatoes, Yellow Tomatoes, all forms of Teas, all Peppers, and all Capsicums, which are also products that contain similar levels of nicotine. It's ludicrous to even think on these terms!

Is it simply because the most unpopular model, the 501 super mini, simply "looks" like a cigarette, so you feel that you need to have it regulated as such? How is this, once again, fair? You need to include Root Beer, Sparkling Grape Juice, all needles, all berries, all loose clothing, all makeup, and various other products because they "look" or "resemble" another product. Once again, it would be an unfair and unjust way of thinking that only leads to socialist forms of law making; we are America, aren't we?

The purpose of high tobacco taxes is to discourage unhealthy behavior and to supplement the cost of health care due to tobacco-related disease. As stated earlier, electronic cigarettes are NOT tobacco products, and are NOT unhealthy. In fact, many of those who use electronic cigarettes are former smokers that wanted to reduce their health risks by over 98%. So what is the justification for this tax? Is there a reason to have this tax placed upon electronic cigarettes that is just and fair? From the evidence placed in front of everyone, the State of Hawaii, the United States of America, and the World, there is clearly NO JUSTIFICATION for a tax on electronic cigarettes!

The tax you plan on imposing upon electronic cigarettes would tax all components: the batteries, the atomizers, the juice, the wiring...everything. The only product that includes nicotine is the "E-juice". How is it fair to tax the entire product? How is it even fair to tax the e-juice? How DO you see this tax being justified? Will you be taxing ashtrays? Perhaps lighters? Maybe you should tax matches or sulfur, or one of the many 4000 chemicals present in cigarettes. Maybe you should tax all forms of paper; maybe a tax on products that include menthol or products that include a "leafy substance" should be included as well. Clearly you can see that the very idea of taxing based on a single component (nicotine) is unfair. Why should electronic cigarettes be treated this way?

Perhaps the lack of information is the cause and reason behind this tax. Perhaps the reason is simply because you want to find a new way to tax your community to gain extra revenue should the sales of tobacco products fall because people want to become healthier. If that is the case, then this becomes an issue of forcing citizens to overpay for an obviously healthier choice. How can a product that has no relation whatsoever to tobacco, a considerable research indicating these electronic cigarettes help people to quit cigarette smoking safely, be taxed as a tobacco product?

Senate Ways and Means Committee, WHAT IS THE JUSTIFICATION OF THIS TAX? You must tell the people, the world, that the tax on electronic cigarettes is to prevent people from being able to afford healthier lives; that the tax on electronic cigarettes is to prevent people from being able to live longer; that the tax on electronic cigarettes is to prevent people from being able to see their children grow up; that the tax on electronic cigarettes is to ensure that people continue to smoke and remain sick for the pharmaceutical companies; that the tax on electronic cigarettes is in place because you want local companies to shut down; that the tax on electronic cigarettes is there to begin the chain effect that will spread across the whole United States that largely supports the tobacco industry by shutting down the only real and effective alternative to tobacco smoking with high taxation and misunderstood concepts.

The answer is simple. I believe that you do want to help your people. I also believe that you want to be represented as one of the first stepping stones to allowing people to have a chance to quit tobacco smoking and enjoy a healthy alternative in electronic cigarettes. I believe that you do want to give people the option of life versus death! I believe that misunderstanding of the product is simply why you thought of the tax in the first place; but now you have been informed. You have so much information that you can gain through places such as www.casaa.org, and even local vendors: you have one right in the state itself: Volcano E-Cigs. Have you gained any actual factual information? If you simply “googled” the information, or looked at wiki’s, or even perhaps gained it from your local DHEC offices which are also lacking in core information regarding electronic cigarettes, perhaps you should look into the correct information yourself.

So why not just remove the tax completely? It’s the right thing to do, and it’s the just and fair thing to do; it is the American thing to do. I am more than confident that you will be able to make the right choice and remove the tax from electronic cigarettes and the accessories. I know that if I was living in the state of Hawaii, I would want to have a chance to get quit cigarettes and lead a healthier life, watch my own children grow up, and electronic cigarettes can make that possible. It has for me already and dozens of people like me. If you were an ex-smoker, wouldn’t you like to have access to these devices that can allow recreational smoking simulation or complete weaning from cigarettes without the cost of lives?

Thank you for your time.

Gregory E. Bajorek

Of the state of South Carolina

Ex-smoker for 9 weeks, courtesy of e-cigarettes.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: jacobgsnyder@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Wednesday, February 08, 2012 4:05:59 AM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Jacob Snyder
Organization: Individual
E-mail: jacobgsnyder@gmail.com
Submitted on: 2/8/2012

Comments:

I oppose this bill on the grounds that it is unnecessary to qualify an electronic cigarette as a tobacco product. There is no tobacco in any part of an electronic cigarette. In my opinion the change to make the classification of electronic cigarettes as tobacco products is just a ploy by the state to sap more money out of its citizens. The fact remains that the mass majority of electronic cigarette users are trying to better their lives by using it as a substitute for regular tobacco cigarettes which are far, far more unhealthy. The one part of the bill I do not oppose is the sales to minors, but on that same note before making a bill for this one should have done their homework first. If you looked into the local electronic cigarette dealers policies you would see that they already have strict rules against the sales to minors that they enforce with extreme prejudice.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: jsp@hawaii.edu
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:03:49 PM
Attachments: [Jennifer P-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Jennifer Pescador
Organization: REAL
E-mail: jsp@hawaii.edu
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Senators:

My name is Jennifer Pescador. I am from Kailua and in strong support of SB 2819. I also want to let you know that I am part of REAL: Hawaii Youth Movement Exposing the Tobacco Industry and therefore know quite a bit about tobacco and nicotine.

I am in favor of this bill because it will create a statewide minimum age requirement for the sale of e-cigarettes products in Hawaii as well as a much needed tax increase on the product to make it less reasonable for young people to purchase.

I believe these products are just another way of promoting rebelliousness among smokers to get around smoke-free laws that restrict traditional tobacco smoking in public place throughout Hawaii. Also I think it's a way to market addiction of nicotine to youth masked in a tech-friendly device that makes it seem completely harmless. The reality is we have no idea what the long-term health effects will be from using these untested and unregulated products.

All the kiosks for these products are located in the most busy areas of our malls: Ala Moana – near the stairs and entrance to the food court, Pearlridge – near the stairs, exit of the mall, bank machines, and the entrance from the old area to the new area of uptown mall, and Windward Mall is in the center of the main mall across from the escalators from the 2nd level. I also have sat and watched the aggressive targeting of youth and young adults by the sales people at these kiosks. There is no doubt in my mind that this is their target market. That is also obvious with the colorful packaging and numerous fruit flavors available. I also DO NOT believe the marketing for these products is truthful.

I would like to see you take SB 2819 to the next level and either ban the sale of these products all together in Hawaii or require them to be sold in specialty tobacco shops where no one under the age of 18 years old is permitted.

Thank you,

Jennifer Pescador

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: jennifer.yeoman21@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 2:59:12 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Jennifer Yeoman
Organization: Individual
E-mail: jennifer.yeoman21@gmail.com
Submitted on: 2/7/2012

Comments:

Electronic cigarettes are preserving the health of those who otherwise could not quit smoking tobacco. People's health is more important than the money being sought through the proposed tax. In saving people's lives, having them live longer, they will be around longer to pay taxes.

When smokers smoke tobacco they die early and can't pay taxes. The proposed tax on the electronic cigarettes will force many low income and middle class smokers to resort to tobacco cigarettes again because they will be cheaper than the electronic cigarette if the bill passes.

I am hoping that Hawaii politicians would care more about their people in the Aloha state. Many people who are using the electronic cigarette are doing so because of health problems from tobacco but as yet have been unable to quit completely.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: johnpi32@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:05:53 PM
Attachments: [John P-Feb_8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: John Pimentel
Organization: Individual
E-mail: johnpi32@yahoo.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Senators:

My name is John Pimentel. I am a young adult advocate with REAL in strong support of SB 2819.

I believe there need to be minimum age requirements for the sale of e-cigarettes to protect youth from becoming addicted to nicotine. Also I think you as decision-makers should take it the next step and allow that e-cigarettes be sold only in adult stores that require you to be at least 18 years old to enter.

When I visited an e-cigarette kiosk I was shocked to be told how “healthy” these vapors are. I think there is a lack of understanding by many people that this product has not been approved by the FDA or tested for the long term impact on health. Also it DOES CONTAIN NICOTINE which is addictive.

Thank you for your support of SB 2819 to protect Hawaii’s young people.

John Pimentel

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: mephistopholes47@verizon.net
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 5:16:21 PM
Attachments: [Testimony.rtf](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Joseph Kelley
Organization: Individual
E-mail: mephistopholes47@verizon.net
Submitted on: 2/7/2012

Comments:

Testimony Regarding SB2819 & HB2557

RELATING TO SALES OF ELECTRONIC CIGARETTES

Tuesday, January 31st, 2012

My name is Joseph Kelley. I am a resident of North Carolina and a customer of VolcanoECigs.com which is based in Honolulu, Hawaii. I am a former smoker of 1 1/4 pack a day for 8 years. I could not say "former" smoker due if it had not been for the electronic cigarette products sold by Volcano. I have been tobacco free for almost 4 months now which is the longest I have been able to do so since I began smoking. I have tried numerous times to quit, but have been met with failure each time despite using several types of Nicotine Replacement Therapy (NRT) including nicotine gum, patches and lozenges.

My father began smoking cigarettes in his early 20's. He almost died several years ago during an emergency bypass operation due to coronary heart disease. He has tried numerous methods to quit smoking and has been unable to do so. I wish that electronic cigarettes had been available before he passed away as I believe they would have worked for him and he would likely still be with us. This tax would take this option away from many people, myself included.

My goal is to eventually ween myself off of nicotine completely as many other electronic cigarette users have already done. I have already come a long way toward doing so. This is something that I could not do with cigarettes.

The National Cancer Institute at the National Institutes of Health prepared and continues to update a report entitled, "Cigarette Smoking: Health Risks and How to Quit (PDQ®)" which can be read in full at <http://www.cancer.gov/cancertopics/pdq/prevention/control-of-tobacco-use/HealthProfessional/page4>. There are many significant quotations contained therein related to the negative health effects of smoking both to the smoker and nonsmokers via second hand smoke. It also contains findings related to the use of NRTs for the cessation of smoking.

It is obvious even to those who are smoking years off of their lives that the harmful effects of tobacco use can be devastating and highly common. As the report states, nearly 443,000 Americans die each year from smoking related illness. It is in the best interest of all Americans that the number of people who smoke tobacco products be reduced as much as possible, as soon as possible and by whatever means necessary within the bounds of common sense and the United States Constitution.

Nicotine is a powerfully addictive drug. Time Magazine reported in a June 24, 2001 article by Christine Gorman entitled, "Why It's So Hard to Quit Smoking" that the relapse rate for those who attempt to quit smoking is 75% which is similar to that of recovering alcoholics and addicts. US Senator Bill Bradley (D) of New Jersey proposed legislation that would require cigarette packages to have a warning label that states, "Smoking is addictive. Once you start you may not be able to stop." Those of us who have tried to quit unsuccessfully regret the day we ever smoked our first cigarette. If the friend who gave me my first cigarette had said to me, "Not only will these things slowly kill you and reduce your quality of life, but you will know that they are doing so and will be unable to stop yourself," I would have handed it right back.

Tobacco smoke contains over 4000 chemicals including 43 known human carcinogens. The vapor produced while using an electronic cigarette contains only 4 main ingredients: United States Pharmacopeia (USP) grade propylene glycol, USP grade vegetable glycerin, USP grade pure nicotine and food grade flavoring agents including many of the same chemicals used to flavor common food products. None of the preceding chemicals are known human carcinogens. Electronic cigarettes contain no organic particulates (smoke) or tar. They do not produce a lingering cloud of foul smelling and eye, nose, throat and lung irritating smoke. They do not cause bad breath and they do not cause staining of the teeth. They do not cause cancer, emphysema or tooth and gum disease. There is no "smoker's cough" associated with the use of electronic cigarettes because there is no particulate matter that collects in the lungs.

Many people, including medical professionals, postulate that the addiction to nicotine is only one of the components of the addiction to smoking. Smokers are also psychologically addicted to the act of smoking itself. This is where electronic cigarettes differ from other NRTs. NRTs such as Nicorette, Nicoderm, lozenges and even inhalers have an unusually high relapse rate. Conversely, anecdotal evidence and some limited scientific studies have shown that the use of electronic cigarettes as a cessation tool has a significantly higher success rate than other NRTs. A smoker feels at ease by the movements of bringing the cigarette to his mouth, taking a puff, feeling the warmth and seeing the smoke exhaled. Electronic cigarettes provide a means of NRT that also meets the criteria of the psychological addiction in addition to the chemical addiction. Many people who use electronic cigarettes are able to reduce the number of cigarettes they smoke per day or even quit tobacco entirely immediately after switching to electronic cigarettes. The liquid used in electronic cigarettes can be purchased with varying doses of nicotine or no nicotine at all. This allows a new user to start at the same dose that they would be receiving from tobacco products and gradually reduce the dose over time until they no longer feel as though they need the nicotine at all. After that, they may begin to break themselves of the psychological addiction by reducing the number of times per day they use the electronic cigarette until they no longer feel the need to use it at all.

Even if a person is unable or unwilling to work toward complete cessation of nicotine use or break the psychological addiction to the act of using the device, the important thing to realize is that they are no longer using a product that is known to cause nearly 443,000 deaths per year in America and is a significant risk to public health at large.

I fully support the measure to prohibit the sale of any nicotine containing product to minors. The vast majority of electronic cigarette retailers require age verification prior to purchase and refuse to sell their products, even those products that are nicotine free, to those under the age of 18. I applaud this practice and the show of responsibility those retailers have voluntarily displayed. I do not think any electronic cigarette retailer or consumer would be opposed to a measure that wrote into law a practice that is already being followed. However, I am in strong opposition to the classifying of electronic cigarettes as "tobacco products" for the purposes of taxation. Electronic cigarettes are in no way, shape or form a tobacco product. They are more closely related to other smoking cessation aids and NRTs such as Nicoderm patches and Nicorette gum. The nicotine delivery system used by electronic cigarettes does in no way involve the burning of chemical laden organic tobacco leaves for the purposes of producing tar which collects in the lungs and transfers nicotine to the bloodstream. Instead, USP grade, hygroscopic, propylene glycol is used to collect water vapor which is inhaled into the lungs or held in the mouth to transfer nicotine into the bloodstream.

It is my opinion that the State of Hawaii and all other States should view the use of electronic cigarettes as a useful tool to help those who are addicted to nicotine discontinue smoking tobacco products. Doing so could indeed lead to a reduction in the number of smoking related illnesses and deaths which would in turn put less strain on the medical industry, health insurance industry and demonstrate that the State takes the basic principles of the inalienable right of all People to Life, Liberty and the Pursuit of Happiness. It could result in the citizens of Hawaii leading longer, higher quality lives free of the dangers associated with inhaling tobacco smoke including those who do not smoke themselves, but rather are exposed to the smoke second hand.

I am unaware of any State or National laws that classify Nicorette, Nicoderm or other NRTs as tobacco products for the purposes of taxation and I see no reason that electronic cigarettes should be singled out in this regard. Doing so will certainly be devastating to the electronic cigarette industry. Due to the nature of electronic cigarette, many users view them as a gadget and thus purchase their supplies via the internet. With a tax on electronic cigarettes equal to that of tobacco cigarettes, Hawaii based electronic cigarette retailers and producers such as Volcano would have absolutely no chance of competing in the marketplace. Customers of Volcano and other Hawaii based retailers would easily switch to a retailer based in another State or even in another country where no such restrictive taxation

were present if the cost of electronic cigarette products were to drastically increase as proposed by this measure. Hawaii based retailers would be forced to relocate to other states in order to continue business. The jobs that this new industry has created would be lost and gone from Hawaii. The property, income and sales taxes associated with these companies would be lost to Hawaii.

Most importantly, the State of Hawaii legislature would appear to be making an announcement to the people who call Hawaii home that their representatives do not care that the smokers of Hawaii have found a method to help them discontinue slowly killing themselves and harming their bodies. The measure as presented would declare that the State of Hawaii only wants its residents to put dollars in the treasury whether it be from destroying their health or improving it. I believe that treating the two as equals is not in the best interest of the State or its citizens.

My wife and I have vacationed in the beautiful state of Hawaii several times, but passage of this bill will ensure that we do not again. You have sent the message that we are not welcome and if we do visit, you are going to bleed every cent you can from us. I hope and will encourage the citizens of Hawaii to voice similar opposition with their votes during upcoming elections.

I implore each and every one of you to put the lives and well being of your citizens first and the need or desire to collect taxes on a potentially life saving, extending and improving product far behind. Please be brave enough to set the standard for the rest of the Country in showing that you are not willing to allow taxation to prevent people who wish to better themselves from doing so. There is certainly a need to keep nicotine products out of the hands of children and I applaud you for taking steps toward that goal. However, doing so by taxing electronic cigarettes into extinction is not the most prudent way of going about it.

I thank you for your time and sincerely hope you take my words to heart.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: jhethcote@hawaii.rr.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:48:09 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Josette Hethcote
Organization: Individual
E-mail: jhethcote@hawaii.rr.com
Submitted on: 2/7/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: kailekrueger@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:58:26 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Kailee Gruber
Organization: Individual
E-mail: kailekrueger@yahoo.com
Submitted on: 2/7/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: ericek@hawaii.edu
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:28:36 PM
Attachments: [Kerilee E.-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Kerliee Erice
Organization: REAL
E-mail: ericek@hawaii.edu
Submitted on: 2/7/2012

Comments:

February 7th, 2011

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Aloha Senators:

My name is Kerilee Erice and I am a Hospitality and Tourism Major at the University of Hawaii – Maui College. I am also a member of REAL, Hawaii's youth-led movement against the tobacco industry. I am writing this testimony in support of SB 2819.

Currently, we do not have an age restriction on the sales of these electronic cigarettes, so basically a 10-year old could walk up to a kiosk or counter and buy these products. The e-cigarettes from a child's perspective is that it's just like a toy. Though it doesn't have any tobacco, it still contains an amount of nicotine, which is highly addictive. And there have been cases reported where children have died from accidentally ingesting the liquid contained in these e-cigarettes.

The e-cigarette is being marketed as a way for people who smoke to stop smoking because it has a smaller amount of nicotine than regular cigarettes, and it would supposedly ween a smoker of traditional cigarette use. But this has not been proven scientifically yet.

Hawaii has really pushed forward with the smoke-free laws; people can no longer smoke in bars, restaurants, or planes and must be at least 20 feet from any entrance to smoke. With these e-cigarettes, smokers can use this product as a type of loophole from the smoke-free laws and smoke wherever they want.

On Maui, the kiosk that sells e-cigarettes was placed in the busiest side of the mall right in front of a drop-in day care center for children and near an in-mall playground. This may have been intentional, but the reality is that children can easily go up to that kiosk from the playground centers and are being exposed to the act of smoking which impacts their ideas that this is totally ok. And most of the sales associates I've observed at the kiosk also smoked the e-cigarette while working, which gave off the impression that it is okay to be smoking in the mall, which again leads back to the smoke-free loophole.

I am asking you to please pass SB 2819. We need to get control of this negative trend in our state.

Mahalo,
Kerilee Erice

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: leimamonaihe@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:32:40 PM
Attachments: [Mamo-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Leimamo Naihe
Organization: REAL
E-mail: leimamonaihe@yahoo.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

February 7th, 2012

Dear Legislators,

My name is Donalyn "Leimamo" Naihe and I am from Hana, Maui. I am a youth advocate with REAL. I am in strong support of SB 2819 relating to e-cigarettes.

After visiting an e-cigarettes kiosk I was left with a negative impression of these products. I was told that it was "just vapor" but still the sales people cannot answer any serious questions about the possible health effects of these products.

I'd like that these products are done away with completely in Hawaii because they do no good for anyone. I especially worry about the fact that they are being marketed to youth like me and there are no restrictions on sales to minors.

Please support SB 2819.

Mahalo,

Donalyn Naihe

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: likeboys2@aol.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:04:44 PM
Attachments: [Loren A-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Loren Amaral
Organization: REAL
E-mail: likeboys2@aol.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Legislators,

My name is Loren Amaral and I am from Volcano, Hawaii. I am with REAL and am writing in strong support of SB2819 to put on age restrictions on e-cigarette sales.

I am of age and have visited the sales kiosks. There is very high pressure at these locations to sample the product. This is why I believe we need to have age restrictions on the sale of the products BUT I also think the products should be sold in adult only stores that are not open for just anyone to walk up to. It sends wrong impressions to young people that these products are safe to use especially since the sales people continue to repeat over and over that these products are better for you than regular cigarettes.

Thank you for your time and consideration,

Sincerely,
Loren Amaral
Volcano, Hawaii

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: luke.hively@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Wednesday, February 08, 2012 6:32:33 AM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Luke Hively
Organization: Individual
E-mail: luke.hively@gmail.com
Submitted on: 2/8/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: bluebearsmilez@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 3:13:17 PM
Attachments: [Madieson-Feb_8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Madieson Felicilda
Organization: REAL
E-mail: bluebearsmilez@gmail.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Senators,

Aloha, my name is Madieson Felicilda. I am 17 years old and currently attending Maui High School as a Senior. I am a REAL board member. REAL is not an acronym, but REAL is a youth led movement against the tobacco industry. REAL is anti-industry, not anti-smoker. REAL takes on the tobacco industry's tactics and fights back! I am writing in support of SB2819.

As you may know, currently there isn't an age restriction on E-Cigarettes. This allows anyone to purchase this type of product. A 10-year old could walk up to the kiosk/counter and purchase one of these in any mall. E-Cigarettes are flavored and are affordable. The cheapest is at about \$30 which is very price friendly for youth. The products are also available in flavors. My little cousins ask me what the E-Cigarettes are because of these flavors. It makes it seem like candy. I don't like watching my younger cousins interest in these products. Also electronics are the big thing that everyone takes interest in these days, especially youth.

It has been said that E-Cigarettes help people quit smoking and that it doesn't require the smoking of tobacco and therefore may be safer. None of these things have been proven. And the fact is that these products do contain nicotine which is addictive.

It is my opinion that E-Cigarettes are a loop hole around the smoke-free workplaces law here in Hawaii. Even if smoking an e-cigarette, it gives off the impression that smoking is still a normal and acceptable behavior.

From a different safety standpoint, there have been cases reported of small children ingesting the nicotine liquid products and they have been poisoned or almost killed.

I encourage you to support me and the 6,000 youth advocates of REAL in passing SB 2819. Thank you for your time and consideration. Please kokua and help our future generation of our keiki. Your support is greatly appreciated.

Sincerely,
Madieson Felicilda
Maui

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: juiceKTA@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 11:36:40 AM
Attachments: [Makeda-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Makeda Morris
Organization: Individual
E-mail: juiceKTA@yahoo.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

February 7th, 2012

Dear Committee:

My name is Makeda Morris. I am part of REAL: Hawaii Youth Movement Exposing the Tobacco. I am in strong support of SB2819.

I have visited the E-Cigarette Kiosk at Ala Moana Shopping Center to get more info on this product. I had a very odd experience. I was told by the sales person that the e-cig is better than traditional cigarettes for your health. He asked me how old I was and I responded that I'm not yet 18 years old and then he asked I would like to try to e-cig product at the booth. I was pretty shocked.

I think that these products should be sold only in specialty tobacco stores and there definitely should be a minimum age to purchase just like there is with traditional tobacco products. The fact is that we don't know the long term effects of these products: its not proven safe for the public but yet can be accessed by underage citizens and is being heavily marketed to us.

Please consider passing SB2819 protect the health and well-being of Hawaii's young citizens.

Thank you,

Makeda Morris
Honolulu, Hawaii

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: local_girl_121@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:33:32 PM
Attachments: [melissa C-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Melissa Chong
Organization: REAL: Hawaii Youth Movement Exposing Tobacco
E-mail: local_girl_121@hotmail.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Senators:

My name is Melissa Chong. I am from Hilo and am a young adult advocate with REAL. I am writing in strong support of SB 2819 relating to e-cigarettes.

I do strongly believe there should be an age restriction for the purchase of e-cigarettes. Although they say its sold to only 18 years old and up younger youth still are able to buy it. The e-cigarette is just as bad for you just like cigarettes so the claim that its not harmful isn't true. With no age restrictions its easier for their product to be sold and harm those who buy them and use them.

I have visited an e-cigarette kiost at Ala Moana Shopping Center. I was told information that I do not believe is true from the sales person including that this product is a safe alternative to smoking cigarettes, that there are no chemicals in this product, and that it helps you quit smoking cigarettes. From what I have researched I do not think any of what he said is true.

I was also shocked at the e-cigarette packages which liked like Ed Hardy and Juicy Couture which are brands and designs that are very popular with young people. Also there were flavors to pick from like cherry, vanilla, and other candy flavors. It made me think that these products are made to entice youth into to experimenting with nicotine.

I hope you will pass this measure to protect young people under 18 and those of us in our early twenties from targeting by untruthful companies.

Thank you,

Melissa Chong
Hilo, Hawaii

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: local_girl_121@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:33:32 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Melissa Chong
Organization: REAL: Hawaii Youth Movement Exposing Tobacco
E-mail: local_girl_121@hotmail.com
Submitted on: 2/7/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: melligenatt@aol.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:31:45 PM
Attachments: [melissa r-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Melissa Rapoza
Organization: Individual
E-mail: melligenatt@aol.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Legislators:

My name is Melissa Rapoza and I am from Kurtistown, Hawaii. I am in strong support of SB 2819.

I strongly believe there should be minimum age of at least 18 years old (with proper ID presented prior to purchase) for these e-cigarettes in Hawaii. I also believe they should only be sold in specialty adult smoke shops that require you be at least 18 years old to enter. I believe this law will protect our children and will also prohibit the normalization of smoking especially towards youth. It may not be traditional cigarettes smoking but it's just another thing for our youth to become addicted to that is unhealthy.

I am an adult and have visited the e-cigarette kiosks. I witnessed youth under the age of 18 being offered the product to sample. No one was asked prior for their age or asked to show ID. I also witnessed a youth under 18 purchasing an e-cigarette product. The people who work at the kiosks openly use the product in the mall. It's for all these reason that I believe we have to prohibit these products from being openly sold in places where youth for to socialize on a regular basis. I'm concerned that we are not protecting our youth from products that we have no idea of the long term health consequences of and are addictive.

Please pass SB 2819.

Thank you,

Melissa Rapoza

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: Longboym@hawaii.rr.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 9:17:02 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Michael Longboy
Organization: Individual
E-mail: Longboym@hawaii.rr.com
Submitted on: 2/7/2012

Comments:

Just another way, for the State to recieve money from somewhere else..Politicians stand up off your seats and pull your heads out of your ass..Shame on you guys..

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: michellenikol9@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 11:32:43 AM
Attachments: [michelle M-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Michelle Magdirila
Organization: Individual
E-mail: michellenikol9@gmail.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

February 7th, 2012

Dear Committee:

My name is Michele Magdirila. I am from Molokai and I am a young adult advocate with REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I am in strong support of SB 2819.

I support this measure because I strongly believe there needs to be an age restriction of at least 18 years old to purchase and sample e-cigarettes because there is nicotine in them and we don't know the long term effects of using these products therefore youth should be protected from even trying them as kids. I also believe these should only be available in specialty stores where other tobacco products are sold....NOT in the middle of malls where youth shop and go to hand out. Having these products so visible sends the wrong impression that they are proven to help people quit smoking (which is not proven scientifically). Also these e-cigs look like any other electronic toy that youth like to mess with these days.

When I have visited a e-cig kiosk at the mall I was told that it "wasn't a chemical, just vapor". I think this is false advertising since there definitely has be something to make them appear to smoke the way they do. Also the people at the mall selling them were blowing the vapor smoke right in the face of me and others walking by. I just don't believe this should be legal in Hawaii.

Please support SB 2819.

Mahalo,

Michelle Magdirila

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: Parker437@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Wednesday, February 08, 2012 7:28:41 AM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Nathan Parker
Organization: Individual
E-mail: Parker437@hotmail.com
Submitted on: 2/8/2012

Comments:

I hope to persuade u to not tax the E-cig industry. I encourage you to make it available as a smoking alternative. For sale next to Nicorette and patches. For adults. This product has changed my life for the better. I thought i would never be able to quit smoking and have been for 20 years. Until I was givin the choice of E-cigs. I haven't purchased a pack of KOOL'S since I got mine in the mail. My lungs feel better my house smells better my dog is Happy My family hangs out at my house my doctor is Happy and thinks it's the greatest thing in the world. This is a miracle please don't tax this product as a tobacco product it should be a medical device not available to kids. Thanks for your concern help this industry become even more available to the smoking community.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: nsutton@hawaii.edu
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:16:04 PM
Attachments: [Nicole S-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: Yes
Submitted by: Nicole Sutton
Organization: REAL: Hawaii Youth Movement Exposing Tobacco
E-mail: nsutton@hawaii.edu
Submitted on: 2/7/2012

Comments:

February 7th, 2011

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Senators:

My name is Nicole Sutton. I am a registered voter in the state of Hawaii and represent REAL: Hawaii Youth Movement Exposing the Tobacco Industry. I am in strong support of SB 2819 Relating to Sales of Electronic Cigarettes.

As a professional in the area of youth tobacco prevention I have major concerns with the way these products are being marketed and the fact that youth can easily access them. I also believe that the act of puffing away on these products has a normalizing effect on young people and can increase the social acceptability of traditional cigarette smoking that we have worked so hard to counter in Hawaii.

I do believe this measure is a step in the right direction to protect youth from addiction to nicotine from a young age. But I encourage you to look further at what you can do to keep these products out of the hands of Hawaii's youth such as requiring them to be sold in adult-only venues.

Mahalo for your support of SB 2819.

Sincerely,

Nicole Sutton

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: beckanaynay@hotmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:35:08 PM
Attachments: [Becky-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Rebecca Marini
Organization: REAL
E-mail: beckanaynay@hotmail.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Aloha Committee:

My name is Rebecca Marini of Ewa Beach and I'm a current high school student involved with REAL. I am in strong support of SB 2819.

I want to see the age of purchase established for the sale of e-cigarettes. Also I want to see these products being sold in a more discreet location where we are teens don't have to constantly see it.

I am been to e-cigarettes kiosks to get some additional information about these products. I openly told them my age and the sales person asked me if I wanted to try to use the product. I was only fourteen years old at that time. It may say on the box that it's for "adults" but the sales person was openly marketing it to us. I was also shocked that the location of the kiosk was right near where the center stage is and where kids were taking pictures with Santa. Children learn by seeing and what they see they will want.

Please pass SB 2819. I wish the FDA was doing more about this product but until then we need your help to protect us here in Hawaii.

Thank you,

Rebecca Marini
Ewa Beach, Hawaii

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: robertb808@hawaii.rr.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:52:58 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Robert Balansag
Organization: Individual
E-mail: robertb808@hawaii.rr.com
Submitted on: 2/7/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: dtek808421@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 7:38:23 PM
Attachments: [New Text Document \(3\).txt](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Robert McCandless
Organization: Individual
E-mail: dtek808421@gmail.com
Submitted on: 2/7/2012

Comments:

I am a current user of the e-cig which I have found to be helping me cut back from my use of regular tobacco products. I understand the concerns of the state and the fact that the state isn't making money from this product by having people quit smoking but isn't that a goal for the state??? to have a healthier community??? why should we have people pay more in order for them to have a better life???

I feel that it's the state's way to cash in on something that the people of Hawaii are getting involved in. there are many other things that the state should be looking at to collect taxes on...plastic bags, alcohol, water pipes etc.

this is my plea from a citizen of the state of Hawaii to please not to pass this bill. thank you for hearing me

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: robertsharon21@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 6:10:26 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Roberto Alvarado
Organization: Individual
E-mail: robertsharon21@yahoo.com
Submitted on: 2/7/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: laupahoehoe21@aol.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:36:10 PM
Attachments: [Rose-Feb_8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Rose Anne Navalta
Organization: REAL: Hawaii Youth Movement Exposing Tobacco
E-mail: laupahoehoe21@aol.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Senators:

My name is Rose Anne Navalta. I am from Laupahoehoe and with REAL: Hawaii Youth Movement. I'm in strong support of SB 2819 to create a strict age requirement for the purchase of e-cigarettes in Hawaii.

I also believe we need to restrict the location of sale for these adult only products. They should NOT be in the middle of malls where youth are hanging out.

I strongly believe these products are being aggressively marketed to my generation and that by saying they are a healthier alternative to smoking the retailers are not being truthful about the fact that little is actually known about the health effects of these products.

I ask for your support of this measure SB 2918.

Mahalo,

Rose Anne Navalta

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: roya.m.dennis@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 6:49:15 PM
Attachments: [SB 2819 e-cig.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Roya Dennis
Organization: Individual
E-mail: roya.m.dennis@gmail.com
Submitted on: 2/7/2012

Comments:

Aloha Kakou,

Many times in life we find that the good intentions of legislation are lost. I feel that the amendment SB2819 is an example of well-intentioned legislation that does not do what it was intended to do: protect public health. The intention of this bill is to assure that products that are of concern to public health are kept out of the hands of minors and taxed in such a way as to dissuade people from purchasing such items. Let us ask if SB2819 does what is intended to do.

While enforcing a tax on all electronic cigarette products might dissuade people from purchasing the electronic cigarettes due to cost, it would not in fact protect public health for two basic reasons. Firstly, electronic cigarettes would fast become an online purchased item and would remove from our economic pool this new local business. In this scenario public health would not be protected because people would still get their products, but local businesses would be forced to close. Clearly, only minors are protected in this scenario while overall public health is not.

Secondly, if people cannot afford e-cigarettes, they might simply return to real cigarettes. In this scenario, they would get not only the tar and carcinogens, but also the lovely chemicals cigarette companies knowingly add to their products to increase the level of addiction in the consumers. While the verdict is still out on “vaping” nicotine versus smoking tobacco, it is clear that vaporized nicotine does not carry tar into the lungs of its consumers and there are NO additional chemicals other than food-grade polypropylene glycol, flavors and coloring added. Nothing is added to keep us more addicted to the nicotine in e-cigarettes. So would a bill that returns consumers to tobacco use versus a nicotine delivery device really be in the best interest of public health? Think tar. Think second-hand smoke. Vaping is tar and smoke free! If you make it more expensive than tobacco, people will only return to tobacco and public health will not be protected.

I have been vaping since Feb 21, 2011 and I have never regretted my decision. I barely need the nicotine anymore: moving down from 22mg to 4mg. I have not smoked or taken a “drag” off a single cigarette since I switched. I can vape without the smell and invasive, intrusive smoke of cigarettes. My lung capacity has improved. I can do my cardio-workouts without turning pink and coughing. I have smoked on and off since I was 16 years of age! (My first cigarettes were snuck from my mom’s purse). I am now 41. I have tried cold turkey, the patch, the gum, the lozenges, hypnotherapy, and meds, but NOTHING has worked but vaping. Moreover, vaping is not a “tobacco product” it is a nicotine delivery device, and the very first one that has worked for me.

Please consider the intention versus the actual ramifications of Senate Bill 2819. If this is to protect public health, you will not be doing so with this bill. This bill needs to be re-thought and re-visioned. Only then will the intention of its writers’ truly protect public health.

Thank you for hearing my testimony.

Aloha No,
Roya Dennis

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: hiphopshay@hawaii.rr.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 12:39:05 PM
Attachments: [Shay R-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Shay Revuelta
Organization: Individual
E-mail: hiphopshay@hawaii.rr.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Senators:

My Name is Shay Revuelto. I am from Mililani. I am writing in strong support of SB 2819 even though I am currently away on the mainland for my freshman year of college.

I support this measure because I believe these e-cigarette products are too readily available for youth. I also see that these products are rapidly becoming a new trend among youth. Unless the proper guidelines are placed upon this product there will be more youth who think this product is not dangerous and will obtain it.

While still in high school I visited an e-cigarettes kiosk at the mall. I was told that it's "basically smoking water". I was not told anything about it containing nicotine which is an addictive substance. I'm shocked that we allow this to happen.

I ask that you seriously consider passing SB 2819. I do not want any of my friends or family to become a victim of the aggressive and dishonest marketing of these e-cigarette products.

Mahalo,

Shay Revuelto

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: silverhunt@rocketmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 11:35:35 AM
Attachments: [Silver-Feb_8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Silver Hunt
Organization: Individual
E-mail: silverhunt@rocketmail.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

February 7th, 2012

Dear Senators:

My name is Silver Hunt and I am from Kauai. I am also a state leader with REAL in strong support of SB 2819.

I strongly believe in an age restriction on the electronic cigs because little is known about the health risks in consuming the vapors that are produced while using the e-cigs. Also they do contain nicotine and come in different flavors which makes them youth friendly.

I urge you to support SB 2819 in placing an age restriction on these products. This will promote a healthier generation.

Thank you for your time and consideration.

Sincerely,
Silver Hunt

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

Dear Legislators:

My name is Stephanie Franklin. I am from Wailuku on Maui and am in strong support of measure SB 2819.

I believe there should be statewide regulations on e-cigarettes to require age restrictions upon sale and also limit the sale point to adult only specialty smoke shops. Youth are currently bombarded by the sale of these products at almost every mall in Hawaii. I am most concerned about the issue because the harmful effects of these products are not clearly understood.

I have been to e-cigarette sales kiosks. I was told that this is a healthier alternative to smoking even though it hasn't been scientifically tested or proven. I watched youth under 18 years old handle the product before purchasing.

I believe there needs to be some form of regulation and restrictions on e-cigarettes including how they are marketed and sold in Hawaii. These products should not be allowed to be sold in open area kiosks for all age groups to be targeted.

Please pass SB 2819 to protect our youth.

Thank you,

Stephanie Franklin
Stephdee23@yahoo.com

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: isIndboy2001@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 1:25:08 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Stewart M. Miura, Jr
Organization: Individual
E-mail: isIndboy2001@yahoo.com
Submitted on: 2/7/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: fareiaislam@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 11:40:08 AM
Attachments: [Sunny-Feb 8SB2819.doc](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Sunny Islam
Organization: Individual
E-mail: fareiaislam@yahoo.com
Submitted on: 2/7/2012

Comments:

To: Senator David Ige, Committee on Ways and Means
Senator Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means

Re: **Strong Support for SB 2819, Relating to Sales of Electronic Cigarettes**
Committee on Ways and Means Hearing
February 8th, 2012, 9:00am; Room 211

February 7th, 2012

Dear Legislators:

I am Moshammed (Sunny) Islam, a high school student from Honolulu, Hawaii. I am involved with tobacco prevention through REAL and Teenlink. I support the bill setting an age restriction on E-cigarettes: SB 2819.

Right now, anyone can purchase these E-cigarettes. Setting an age restriction will decrease the amount of youth using them. Passing this bill will ensure that our generation isn't exposed to the harmful effects of these nicotine products of which no one knows the long term health consequences of.

I urge you to support and pass this bill. You have the power to truly protect our generation with your decision.

Thank you,

Sunny Islam
Honolulu, HI

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: the.skinner@hawaii.rr.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 9:28:50 PM
Attachments: [SB 2819 Testimony - Terry Skinner.docx](#)

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Terry Skinner
Organization: Individual
E-mail: the.skinner@hawaii.rr.com
Submitted on: 2/7/2012

Comments:

Edit: I accidentally put the incorrect bill number in the text of the testimony. Please submit this copy instead.

There is no radio button for "partially oppose";. I support prohibition of nicotine sales to minors but do not support taxation of products not containing nicotine.

Distinguished Ladies and Gentlemen,

It has recently come to my attention that SB2819 has been proposed in an effort to address electronic cigarette sales. The prohibition of nicotine sales to minors is certainly necessary but I urge you to consider the ramifications of taxing e-cigarettes and their components at the same rate as other tobacco products. I'm certain the proposed taxes will benefit the state budget but, like smoking, this proposal will have unintended side effects to the economy and to the health of Hawaiians.

If this bill were passed in its current form, all components of e-cigarettes would be susceptible to taxation, regardless of whether they include nicotine. This is akin to taxing the matches, cigarette lighters, ashtrays, etc. of traditional (tobacco) cigarette users. Because local retailers would not be able to compete with the price points of online companies, the result of such taxation would be that consumers would purchase their products online. Volcano e-cigs is just one example of a popular local retailer that would likely be driven out of business by the proposed legislation.

In addition, excessive taxation would likely discourage legal and appropriate users in Hawaii from switching from tobacco cigarettes to much safer electronic cigarettes. For example, I was introduced to electronic cigarettes when my wife bought a relatively inexpensive model from a kiosk at the mall. Had they been taxed at the rate of 70% of wholesale as is currently proposed, it is extremely unlikely that I would have switched away from the carcinogenic tobacco cigarettes and all the health concerns that accompany them.

According to figures released by the Centers for Disease Control, smokers cost the country \$96 billion a year in direct health care costs and an additional \$97 billion a year in lost productivity. The tax on tobacco products was intended to off-set much of these costs. The good news is that the cost to society and Hawaii will be reduced to a fraction of this as former smokers, the largest consumers of electronic cigarettes, make the switch – provided we do not discourage them from switching. Electronic cigarette use must be encouraged so that Hawaii can realize long term economic prosperity and healthy living.

As a 20+ year, pack-a-day smoker, electronic cigarettes have allowed me to quit smoking where other methods have failed. I urge you to reconsider the proposed taxes so that Hawaiians state-wide can experience these same benefits. Not only will we be better off as individuals, but the state will be more economically prosperous as well.

Thank you for your consideration. Should you have any questions regarding electronic cigarettes as an alternative to smoking, please visit www.casaa.org.

Sincerely,
Terry Skinner

Regarding this hearing for Senate Bill SB 2819, and House Bill 2557;

I wish to go on record against Senate Bill SB 2819, along with House Bill HB 2557 for two very important reasons.

First to address House Bill HB 2557 which wishes to classify what is essentially a Medical Delivery System as a "Tobacco Product" for the purpose of taxation. Aside from the obvious analogy of classifying a medical syringe, as a "Morphine Product", or othe, it can be argued that consumer replacement of actual tobacco products with non-carcinogenic E-cigarette vapor delivery systems is similar to the replacement of a heroin addiction, with a small dose of methadone. Not to mention the inevitable and staggering medical costs to the state of Hawaii, which non-carcinogenic E cigarettes obviously helps us avert.

Second regarding Senate bill SB 2819, there are also immediate economical issues for our state. Economists and Technologists predict that the much more economical, newer, attractive and safe use of E-cigarettes will eventually displace much of the use of more expensive, combustible, unpleasant smelling and generally dangerous use traditional cigarettes. Considering the hundreds of businesses in our state which currently sale cigarettes alone, Senate Bill SB 2819 imposes a heavy financial burden to our state now and even more so in the future. The immediate loss of sales in our new electronic economy where phone call or a computer mouse-click will price the State of Hawaii itself out of a quickly growing and inevitably huge market. A market that out-of-state or international mail-order companies would be able to fulfill with free shipping in three days at half the price, only if Senate Bill SB 2819 is allowed to pass.

Our islands largest E-cigarette company "Volcanoecigs", and others such as "Enjoy" currently sell their Electronic Cigarette Models for less than Online Internet Competition. As do stores like Longs which carries local brand electronic cigarettes as well. Bill SB 2819 would end this overnight as E-cigarettes became almost half price anywhere else in the world. More seriously this also strongly inhibits the public's awareness, the availability and affordability of a safe and proven replacement to expensive, dangerous and carcinogenic tobacco products.

Although the state of Hawaii in time stands to lose some of its tax revenue from traditional tobacco sales, the savings to our State in inevitably more expensive medical care costs for future residents should be strongly considered. One could think that a thousand dollars of this kind of taxation today could inevitably cost the State of Hawaii thousands of dollars years from now in lost production and medical costs alone due to genuine tobacco product's inherently unhealthy and deadly side effects to hundreds of thousands of Hawaii's residents .

In closing I would like to say that I have spoken with eight doctors about using E-cigarettes in the last year and they all recommend using electronic cigarettes over tobacco products. Several actually expressed personally feeling that all of us would all benefit if our state or government supported or at least somehow helped to inform the public and current tobacco users about this new and, at the least at this moment more affordable alternative.

Mahalo for your time, and the opportunity for my input.

Todd Cornelison

Todd Cornelison
730 Capt. Cook, Hon Hi. 96813

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: val.mattson@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 11:25:32 AM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Valerie Mattson
Organization: Individual
E-mail: val.mattson@gmail.com
Submitted on: 2/7/2012

Comments:

Please do not pass this bill as it is written. I support not selling electronic cigarettes and accessories to minors and the vendor that I purchase from does not sell to minors as I am sure other vendors also do not. However, classifying electronic cigarettes and accessories as tobacco products is unfair and would affect both my husband and me. Last Feb 2011, I drove from Wahiawa to Kapahulu after work to purchase an ecig device. On the way I smoked the last cigarette in my pack. While the ecigs are not promoted as smoking cessation aids, that was the last cigarette I smoked. I "vaped" one bottle of the lowest nicotine liquid they sell and then switched to the non-nicotine liquids. My husband took a bit longer, but he is also tobacco free. Please, do not pass this bill as is. We do not want to return to smoking and most likely would if we were to be taxed on our vaping products.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: emt903@yahoo.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 7:45:54 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: yusung Kim
Organization: Individual
E-mail: emt903@yahoo.com
Submitted on: 2/7/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: emt903@gmail.com
Subject: Testimony for SB2819 on 2/8/2012 9:00:00 AM
Date: Tuesday, February 07, 2012 7:42:14 PM

Testimony for WAM 2/8/2012 9:00:00 AM SB2819

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: yusung kim
Organization: Individual
E-mail: emt903@gmail.com
Submitted on: 2/7/2012

Comments: