

Honolulu, Hawaii

MAR 01 2013

RE: S.B. No. 1127  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 1127 entitled:

"A BILL FOR AN ACT RELATING TO SALES OF ELECTRONIC SMOKING  
DEVICES TO PERSONS UNDER 18 YEARS OF AGE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend section 709-908, Hawaii Revised Statutes, to add a definition of "electronic smoking device";
- (2) Prohibit the selling or furnishing of electronic smoking devices to minors under eighteen years of age;
- (3) Prohibit minors under eighteen years of age from purchasing electronic smoking devices; and
- (4) Require the inclusion of a statement regarding the prohibition of the sale of electronic smoking devices to persons under the age of eighteen years on signage required on or near a vending machine, point of sale, or other location where tobacco is sold.

Your Committee received testimony in support of this measure from the Department of Health, Coalition for a Tobacco-Free Hawaii, and sixty-three individuals.



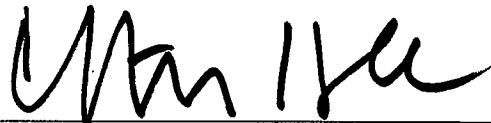
Your Committee finds that electronic smoking devices have become increasingly prevalent and widely available, with some marketers of electronic cigarettes actively targeting minors. This measure will make Hawaii one of several states that prohibit the sale of electronic smoking devices to minors.

Your Committee has amended this measure by:

- (1) Substituting references to "electronic smoking devices" with "vapor products";
- (2) Substituting references to "tobacco" with "tobacco products";
- (3) Inserting definitions of "tobacco products" and "vapor products"; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1127, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1127, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



CLAYTON HEE, Chair



The Senate  
Twenty-Seventh Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1127	HTH, JDL	2/26/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam			✓	
<b>TOTAL</b>	4		1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes