



From: [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
To: [WAM Testimony](#)  
Cc: [burnettadam@hotmail.com](mailto:burnettadam@hotmail.com)  
Subject: Submitted testimony for SB2495 on Feb 20, 2014 09:00AM  
Date: Wednesday, February 19, 2014 10:15:43 AM

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**SB2495**

Submitted on: 2/19/2014

Testimony for WAM on Feb 20, 2014 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
adam	Individual	Oppose	No

Comments: Aloha Senators, I am writing to you testifying against proposed bill SB2495. I am an avid vapor user and my standing on the matter is that cigarettes and e cigs are two totally different products that should not be lumped together under any bill. If someone could produce proof that ecigs are nearly as harmful as cigarettes are, then please add all the taxes and permit increases and restrictions. To date there are no reported cases of injury or harm due to electronic cigarettes. - Please do not restrict the sales of ecigs to the same selling practices on traditional cigarettes. This would mean no online sales which would cripple the ecig business here in Hawaii and would make companies leave Hawaii. -Imposing a Tobacco tax on the ecigs like cigarettes seems unfair because ecigs don't harm the public the way cigarettes do and how can you put a tax on a USB wire or a battery or any of the other electrical components that make up an electronic cigarette? There is no tobacco tax on nicotine gum or the patch and they get their nicotine from the same place we do. - I think ecig vendors should have a license to sell the product but a new license made specifically to the new product, not the same license that Tobacco resellers are required to have because there is no tobacco in ecigs. Please research the product and the more you do, you will see how different the products actually are. There are real benefits to ecig vapor devices and we should all embrace it instead of trying to listen to the demands of big tobacco to classify this product as tobacco so it can be retailed only in a market that they completely dominate. Where is the tobacco in these products? Who has been harmed by these products? The same ingredients found in ecigs can be found in children's toothpaste. Please do the research, keeping ecigs the way they are will ultimately make the state more money as the industry continues to grow. Thank you for your time.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**From:** [Angela Sy](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 12:05:01 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Re: Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

Thank you for the opportunity to submit testimony in support of SB 2495, SD1. I strongly support regulating electronic smoking devices (ESDs) by creating licensing and permitting processes and fees; prohibiting the use of ESDs in places open to the public and places of employment; and restricting the sale, distribution, or display of ESDs to be the same as cigarettes and other tobacco products.

I support including “electronic smoking devices” in the definition of “tobacco product” and “smoke or smoking” in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will reduce confusion within society, decrease distractions in the workplace, and protect the social norm.

I support treating ESDs similarly to other tobacco products through requiring a licensing process for wholesalers and a permitting process for retailers. ESDs should be taxed the same as other tobacco products and restricted to the same sale, distribution, and display requirements as cigarettes and other tobacco products.

Electronic smoking devices are currently unregulated and emit unregulated levels of chemicals into the air. Without regulations there is no evidence that the emissions are merely “harmless water vapor.” SB 2495, SD1 must be passed to provide protection for the public while science continues to emerge with more information about the emissions and chemicals released from the vapor. Failing to act may set us back decades.

Mahalo.

Angela Sy  
2600 Campus Rd.  
QLSSC #413, attn: Maile Goo  
Honolulu, HI 96817



**From:** [Bryan Mih](#)  
**To:** [WAM Testimony](#)  
**Subject:** Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Thursday, February 20, 2014 12:06:48 AM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Subject: Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

Dear Senators:

As a pediatrician in Honolulu and medical director of the HEALTHY Tobacco & Nicotine Cessation Program, I strongly support SB 2495.

Electronic smoking devices are clearly products meant to approximate the use of cigarettes and other tobacco products. The inclusion of electronic devices that vaporize nicotine is an important step in maintaining consistency in the laws. The definition of tobacco product and smoking must also include the use of these electronic smoking devices, which should be prohibited in the same places that smoking is prohibited, including smoke-free workplaces.

Electronic smoking devices take a mixture of chemicals, including nicotine, and vaporize it at high temperatures. These devices emit nicotine byproducts and a variety of other chemicals, and they have not been fully studied in regards to safety. E-cigarette vapor has been shown to include carcinogens and toxins including nicotine, nitrosamines, diethylene glycol, formaldehyde, and acetaldehyde. The U.S. Food and Drug Administration has exhibited concern regarding the safety of electronic smoking devices as well.

SB 2495 must be passed to provide protection for the public while science continues to emerge with more information about the emissions and chemicals released from the vapor. In the interest of public health, I urge you to pass SB 2495 and prevent electronic smoking devices from sneaking by current smoke-free laws.

Thank you for your consideration and support of this important measure.

Sincerely,

Bryan Mih, MD, MPH, FAAP

Pediatrician



**UNIVERSITY OF HAWAII SYSTEM**  
Legislative Testimony



Comments Presented Before the  
Senate Committee on Ways and Means  
February 20, 2014 at 9:00 am

by

Michele Carbone, MD, PhD

Director

and

Thaddeus Herzog, PhD

Associate Professor (Researcher)

Cancer Prevention and Control Program

University of Hawai'i Cancer Center

University of Hawai'i at Mānoa

**SB 2495 SD1 – RELATING TO ELECTRONIC SMOKING DEVICES**

Chair Ige, Vice Chair Kidani, and Members of the Committee:

The University of Hawai'i Cancer Center supports this bill.

The UH Cancer Center is one of only 68 institutions in the U.S. that hold the prestigious National Cancer Institute (NCI) designation, and is the only NCI-designated center in the Pacific. The NCI designation provides greater access to federal funding and research opportunities. More importantly, it gives the people of Hawai'i and the Pacific region access to innovative and potentially life-saving clinical trials without the necessity of traveling to the mainland.

Our consuming passion at the UH Cancer Center is to be a world leader in eliminating cancer through research, education and improved patient care. Because tobacco consumption is a leading preventable cause of cancer, we take all issues related to tobacco in Hawai'i very seriously. Whereas the UH Cancer Center always has supported strong tobacco control measures in Hawai'i, the recent emergence of e-cigarettes presents new challenges for tobacco control and tobacco-related legislation.

The UH Cancer Center perspective on e-cigarettes is informed by the scientific literature, including original published research by our own faculty. Despite the complexities of the larger debate regarding e-cigarettes, we believe this bill represents reasonable legislation that balances the rights of adults to use e-cigarettes in appropriate venues while restricting the use of e-cigarettes in public places where conventional cigarettes also are banned. We also support the prohibition of the sale of e-cigarettes to minors, and we support the provisions in this bill that enhance the ability of authorities to enforce these laws.

As scientific research on e-cigarettes progresses, we will have a stronger basis to adjust laws according to evidence. At the present time, however, caution is warranted. As others have noted, the FDA currently does not regulate e-cigarettes, and thus the consumer has no assurances regarding e-cigarette ingredients. Further, because of the novelty of e-cigarettes, the long term effects of using these devices are unknown. A further concern, not often discussed, is the potential for e-cigarettes to be used as drug delivery devices for substances other than nicotine.

For these reasons, we respectfully urge you to pass this bill.



**LATE**

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

In reply, please refer to:  
File:

**SENATE COMMITTEE ON WAYS AND MEANS**

**SB2495,SD1, RELATING TO ELECTRONIC SMOKING DEVICES**

**Comments of David Sakamoto, MD, MBA  
Deputy Director, Health Resources Administration**

**February 20, 2014  
9:00AM, Room 211**

1 **Department's Position:** The Department of Health (DOH) supports the intent for public health purpose  
2 and defers those provisions relating to licensure and permitting and the revenue generated by the  
3 proposed excise tax fee to the Department of Taxation (DoTax).

4 **Fiscal Implications:** None for DOH.

5 **Purpose and Justification:** SB 2495,SD1 proposes to amend Chapter 245, Cigarette Tax and Tobacco  
6 Tax Law, Hawaii Revised Statutes (HRS), to include "electronic smoking devices" within the definition  
7 of "tobacco products" and further incorporates many facets of electronic smoking device (ESD)  
8 regulation. This measure provides DoTax with the authority to issue licenses and permits, and also tax  
9 ESDs.

10 The DOH strongly supports this measure as it is currently amended. Should there be changes to  
11 the current proposed excise tax on ESDs, the DOH recommends not setting it less than 50 percent of  
12 wholesale value which would be the same as large cigars (the lowest of the tobacco product taxation  
13 rates) and defers to the DoTax on the use of revenue generated by the proposed fee.

14 The DOH appreciates the use in SB2495 SD1 of the definitions for "electronic smoking device,"  
15 "smoke" or "smoking," and "tobacco products" for Chapter 328J-1, HRS. These definitions were

1 vetted through the Attorney General's Office. The United States Court of Appeals for the D.C. Circuit,  
2 in *Sottera, Inc. v. Food & Drug Administration*, 627 F.3d 891 (D.C. Cir. 2010), issued a decision with  
3 regard to e-cigarettes and other products "made or derived from tobacco" and the jurisdictional line that  
4 should be drawn between "tobacco products" and "drugs," "devices," and combination products, as  
5 those terms are defined in the Food, Drug and Cosmetic Act. The court held that e-cigarettes and other  
6 products made or derived from tobacco can be regulated as "tobacco products."

7 The DOH also supports the provisions in the bill whereby ESDs would be subject to the same  
8 statutory requirements for cigarettes as they relate to sale, distribution, and display. Sampling of the  
9 product would further be unlawful anywhere the distribution of cigarettes and other tobacco product  
10 samples is prohibited.

11 ESDs and their components are manufactured without regulatory oversight or quality control.  
12 The DOH is concerned about potential health risks which include the distribution of toxic nicotine  
13 solutions (including the need for childproof packaging), the impact of additives and flavorings used, the  
14 lack of manufacturing standards, and the long-term effect of inhaling electronic cigarette vapor. The "e-  
15 liquids" sold to refill ESDs may contain enough nicotine to be potentially lethal to adults and children.  
16 Several published studies indicate that ESDs also emit air particulates and nicotine. Since these  
17 products are not regulated, the DOH cannot with confidence assure the public that these products are  
18 safe. Regulatory authority must be assumed by the State to protect the public health.

19 We appreciate the opportunity to provide comments on SB2495,SD1.



**LATE**

The Honorable Senators Baker, Nishihara, Wakai, Shimabukuro, Dige, and Green:

Re: Written testimony submitted February 19, 2014, in reference to SB2495  
Personal Vaporizers, aka "E-Cigarettes"

The citizens of Hawaii expect that their elected officials will pass responsible legislation that is based on evidence, not speculation, and definitely not the stigma attached to an unrelated social issue (in this case, tobacco use).

A personal vaporizer is much like the vaporizer you would use in your child's room to humidify and warm the air for relief of sinus and upper respiratory infections. Both heat water, medication, or other liquids changing them to vapor which dissipates into the air. Vaporizers have never been characterized as being harmful or offensive.

The ingredients currently used in products offered for use in personal vaporizers have already been approved by our FDA for human consumption: food-grade glycerin, propylene glycol, and food flavorings. The addition of nicotine is an option and personal choice. These ingredients have been used safely for many, many years in a multitude of ways, including airborne and in pharmaceutical products. There is no reason to believe that combining them poses any additional risk.

In closing, the consequences of passing of *SB2495* are without merit and, frankly, a "guilt by association" mentality. Please consider the facts:

1. "Vaping" is not "smoking". There is no substance burning. There is no offensive smoke.
2. Taxing glycerin, propylene glycol, and food flavorings just because tobacco is taxed makes absolutely no sense.
3. If small businesses in Hawaii find an opportunity for online sales, let's do what we can to "keep it local".
4. Rather than posing a health risk, anecdotal evidence shows that personal vaporizers are probably the most successful tobacco cessation tool thus far, and their use is therefore in the public's best interest.

Respectfully,

Debra Okamoto, Kapolei  
50 year old former tobacco user (34 years)

Jackie Czapla, Kapolei  
23 year old former tobacco user (4 years)

Christopher Okamoto, Kapolei  
22 year old former tobacco user (5 years)



**From:** [Diane Omura](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 1:45:27 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Re: Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

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Mahalo.

Diane Omura  
1650 Kaahumanu Ave.  
Wailuku, HI 96793



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WAM Testimony](#)  
**Cc:** [808canefire@gmail.com](mailto:808canefire@gmail.com)  
**Subject:** Submitted testimony for SB2495 on Feb 20, 2014 09:00AM  
**Date:** Wednesday, February 19, 2014 5:08:36 PM

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**SB2495**

Submitted on: 2/19/2014

Testimony for WAM on Feb 20, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
F quimoyog	Individual	Comments Only	No

Comments: if there ever was a question to politicians being crooks this is definitely something right here trying to text everything you can if you want to text something and make money need you should try taxing chocolate There at least you'll be helping obesity in this state

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**LATE**

First, with all due respect, Vaporizers are oral inhaler vapor devices, not "electronic smoking devises." Therefore, any attempt to classify them as such. even under the Hawaii Revised Statues, is clearly false, misleading, and just not a scientific fact of reality. There is no tobacco used and no smoke generated. Nothing is being burned-as the old saying goes; "Where there is smoke, there is fire" and there is no fire or anything burning in the utilization of vaporizers. Vaporizers have been around for well over 60 years. In reality, there are no such things as "electronic cigarettes." Therefore, this Bill as written is false in scientific fact and will be highly subject to future lawsuits costing us, the tax payers, money for this nonsense which could be used more appropriately on other issues.

Secondly, It is my understanding that proposed tax money to be collected on these devises is to go to so called "smoking cessation programs." Let me tell you from the evidence based research as well as from personal experience, these already tax subsidized "smoking cessation" programs currently in place are extremely flawed and just do not work. I personally have been involved in a local "smoking cessation" program which I found to be highly questionability as to its structure and implementation and made we wonder, who, if anyone, is overseeing these programs? You receive a couple of phone calls a year and they leave you on your own with some nicotine patches-there is no face to face contact, no "benefits & risks" of treatment discussed, nor any consent forms signed and no support groups. The person you speak to for maybe 5 minutes is someone you do not know who for sure who they really are and what their credentials are. Anyone can be on the other end of a telephone. I experienced extremely minimal follow from them up except for when the one year time limit was up and then they called again basically to maybe just keep me on their enrollment statistics or to possibly try and confirm a positive outcome for their records, or, at least, that was how I felt about it. When I told them I had quit smoking cigarettes already by using a vaporizer, they told me this is wrong and prescribed me more nicotine patches as well as "Bupropion" which is a mental health medication for depression-all site unseen-never met me in person ever-just handed out a Mental Health mediation Rx right over the phone. This particular program just did not work for me. Nor did any gum or patches on my own. However, the oral inhaler vaporizer did work for me and they should embraced for their effectiveness in smoking cessation.

In fact, the honest truth is that the vaporizers addressed here in this particular senate bill are, as far as I can assess, the most effective smoking cessation intervention program that exists today. Again, they are not smoking devises nor a tobacco product, however, nicotine can be added by decreasing levels to no nicotine at all without the other over 4,000 toxic chemicals used by most real tobacco cigarette companies. Research states that; "the effects of

nicotine, itself, are similar to that other popular drug caffeine" but nicotine also has many therapeutically beneficial qualities such as being an anti-depressant; has been shown to be therapeutical in preventing and treating Alzheimer's & Parkinson's disease, OCD, and ADHD, and it does not cause cancer. My personal life experience shows that oral inhaler vaporizers have been proven to be an extremely positive method for actual cigarette smoking cessation for an overwhelming amount of people. I know many people that have successfully stopped smoking with these vaporizers and I, myself, am one of those people. Published research data shows that 93% of people who use nicotine patches return to actual cigarette smoking within 6 months (Wikipedia)-this is a horribly negative success rate outcome. Therefore, it is ironic, if not possibly hypocritical, that the devise that most likely is the best possible smoking cessation intervention to date would be taxed to fund programs that use nicotine patches (which are already receiving tax payer paid government funding) which have been shown to produce a mere less than 93% success rate. Should it not be the other way around?

Thirdly, although there are many manufactures of oral inhaler vaporizer devices (they were first developed in 1963 well over 50 years ago and then refined again by a pharmacist in China in 2003), the particular local "Volcano" brand has been a leader in the industry in the entire USA (let me qualify the fact that I, in no way, have any affiliation with this company what so ever-I am merely a citizen voicing my concerns). This person started this business in his house in Kailua, Oahu and has now expand to create many, many jobs for our local community. People on the mainland having been buying franchises from them-usually it is the other way around-people in Hawaii buy mainland franchises-when was the last time you have heard of this-maybe LL some years back? He has put Hawaii as the front runner in a new and rapidly growing industry (4 billion dollars in sales nationally last year with an estimated 3-4 times that for 2014). He should be praised as an innovator, job creator, and a leader in smoking cessation. Every cafe or kiosk opened here creates new jobs for our residents, income for landlords, tax revenues for the State of Hawaii, etc. Why would we want to force these people to have to leave home and take their jobs and income generating business elsewhere by placing unwarranted and unnecessary restrictions and regulations on them? Again, these are vaporizers-just like the one they used on me when I was a child for cleaning out my lungs and work the same way-they produce no smoke at all and that means no 2nd hand smoke (the only thing they produce is some very short acting water vapor-just the same as your rice cooker, there is no oder, there is no tobacco, there is no fire, nothing is burning. There is no tar, ash, butts, or rubbish. They are absent of the over 4,000 toxic chemicals (including carbon monoxide) that are almost all real tobacco cigarettes. They are most likely the most successful intervention for smoking cessation that there is to date. They have no known

health risks (been around over 50 years now) but do have proven health benefits. They create jobs and other income stimulating our local economy in a positive manner. They are not so called "electronic cigarettes" or "electronic smoking devises"-there is no such thing, Therefore, I am strongly in favor of not passing Senate Bill 2495.

Thank You for your time and consideration,  
Frank Geiger, JR.  
02/19/14



**From:** [Howard Saiki](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 6:48:24 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

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Hrg: February 20, 2014 at 9:00 a.m. in Room 211

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Mahalo.

Howard Saiki  
45-480 B Apiki Street  
Apt. D1202  
Kaneohe, HI 96744



**From:** [Io Loa](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 12:25:54 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

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Mahalo.

Io Loa  
143 Lahainaluna Rd  
Lahaina, HI 96761





**From:** [Jessica Yuen](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 2:41:13 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

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Mahalo.

Jessica Yuen  
Puahiohio Way  
Kapolei, HI 96707



From: [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
 To: [WAM Testimony](#)  
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 Subject: Submitted testimony for SB2495 on Feb 20, 2014 09:00AM  
 Date: Wednesday, February 19, 2014 11:56:58 AM

**SB2495**

Submitted on: 2/19/2014

Testimony for WAM on Feb 20, 2014 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Marc	Individual	Oppose	No

Comments: Aloha, My opposition to Bill SB2495 is mainly due to the fact that if this Bill passes there would be an immediate loss of jobs in Hawaii as the online portion of our business would be relocated to the mainland. "...thereby subjecting wholesalers, dealers, and retailers of electronic smoking devices to the same licensing and permitting requirements as wholesalers, dealers, and retailers of cigarettes and other tobacco products." I am a father of three and depend heavily on my corporate position at Volcano Ecigs. I accepted the position because of the local ties it has with Hawaii, the family oriented nature of the business, and the security it provided for my family. However, if you pass this Bill it will force my family and me to lose the very things I've worked so hard to obtain for our future. Our livelihood depends on my position at Volcano Ecigs. In my 15 years within the Online Industry here in Hawaii I have been through a few positions that were lost due to downsizing, poor economy and corporate overthrows, the most recent in 2010 with Honolulu Advertiser—I was one of the 100+ employees that lost their positions. This was a devastating blow and placed my family in jeopardizing circumstances. Because of this I have made a promise to my family and myself to never be in that situation again. This is why one of my main questions before accepting the position with Volcano Ecigs was the security and future of the company. And having seen the success of its products and being impressed with the thousands of people who Volcano Ecigs help kick the habit of cigarette smoking, I was sure this was the right company to be with. Having said that, with a deeply sincere heart I ask you please do not pass this Bill. Although I am speaking for myself I am quite confident yet reluctant to say, there are many others within the 100+ full-time workers at Volcano Ecigs who would fall into similar situations as mine if this Bill passes. Again, I ask you PLEASE do not pass this bill—my family's lives are riding on your decision. Mahalo, Marc

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**From:** [Marilyn Gagen](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 10:50:55 AM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Re: Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

Thank you for the opportunity to submit testimony in support of SB 2495, SD1. I strongly support regulating electronic smoking devices (ESDs) by creating licensing and permitting processes and fees; prohibiting the use of ESDs in places open to the public and places of employment; and restricting the sale, distribution, or display of ESDs to be the same as cigarettes and other tobacco products.

I support including “electronic smoking devices” in the definition of “tobacco product” and “smoke or smoking” in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will reduce confusion within society, decrease distractions in the workplace, and protect the social norm.

I support treating ESDs similarly to other tobacco products through requiring a licensing process for wholesalers and a permitting process for retailers. ESDs should be taxed the same as other tobacco products and restricted to the same sale, distribution, and display requirements as cigarettes and other tobacco products.

Electronic smoking devices are currently unregulated and emit unregulated levels of chemicals into the air. Without regulations there is no evidence that the emissions are merely “harmless water vapor.” SB 2495, SD1 must be passed to provide protection for the public while science continues to emerge with more information about the emissions and chemicals released from the vapor. Failing to act may set us back decades.

Mahalo.

Marilyn Gagen  
59-398 Ka Nani Drive  
N/A  
Kamuela, HI 96743



**From:** [Maxwell Adams](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 12:54:34 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Re: Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

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Mahalo.

Maxwell Adams  
68-1761  
waikoloa, HI 96738



**From:** [Paul Perretta](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 10:38:43 AM

---

To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Re: Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

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Mahalo.

Paul Perretta  
1511 Punahou St Apt 208  
Honolulu, HI 96822



February 19, 2014

Dear Committee on Ways and Means:

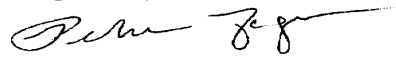
As a private citizen of the state of Hawaii, I would like to encourage you to move SB 2495 forward as an important bill to help reduce the burden tobacco/nicotine products on the young people of Hawaii.

- Electronic cigarettes are unregulated. According the Food and Drug Administration, studies have found traces of carcinogens in electronic cigarettes.  
<http://www.fda.gov/%20NewsEvents/Newsroom/PressAnnouncements/ucm173222.htm>
- Because these products are new, we do not know enough about the safety of these products. In addition, there is no evidence that there are any benefits to these products.
- In a 2010 report in the *American Academy of Pediatrics* (Unintentional Child Poisonings Through Ingestion of Conventional and Novel Tobacco Products), Connolly and colleagues reported that there were a total of 13,705 tobacco product ingestion cases among children aged 0-5 years of age from 2006-2008. Electronic cigarettes have flavored e-juice that appeal to young people. We do know that there have been many cases of nicotine poisoning among children who drank the flavored e-juice and these cases have been reported in multiple news stories across the U.S.
  - <http://www.kshb.com/news/health/e-cigarette-poisoning-up-nearly-half-of-cases-reporter-are-children>
  - <http://www.gazettenet.com/living/health/10744400-95/cases-of-nicotine-over-exposure-from-e-cigarettes-on-the-rise>
  - <http://www.abc15.com/news/local-news/investigations/poison-control-center-sees-number-of-children-poisoned-by-e-cigarettes-skyrocket>
  - <http://www.thedenverchannel.com/news/local-news/e-cigarettes-poison-growing-number-of-colorado-children>
  - <http://www.khou.com/news/health/E-cigarette-poisoning-increasing-among-children-in-Texas-239605061.html>
- Clearly, consumers do not know the risk of electronic cigarettes to children or themselves.
- Social modeling of e-cigarettes may influence young people to try both regular combustible cigarettes and e-cigarettes. Electronic cigarettes are used in similar way to regular cigarettes and emit “smoke” in the same way as regular cigarettes. The evidence on the link between social modeling, social norms and initiation of regular cigarette smoking among young people is well established and documented in the *1994 Surgeon’s General Report on Preventing Tobacco Use Among Young People*. Therefore, the same restrictions that apply to cigarettes, ban on use in public places, should apply to reduce social modeling and social normative effects that are known to influence youth to use tobacco.
- Ban on use in public places and places of employment is also needed because it is unclear how the vapor may contribute to spread of infectious diseases. Water particles hold germs and breathing germs on other people can spread germs much the same that coughing and sneezing helps to spread unwanted germs.
- The electronic cigarette in and of itself has not use unless something is added to it and flavors are additives that help to make some other compound more palatable. Therefore, electronic cigarettes, which are used to deliver nicotine, a tobacco derivative, should be included under the definition of tobacco product and be treated like any other tobacco product.
- It is important to increase the license fee and retail fee to sell and unregulated product.

- Sales, distribution, and display of devices should be restricted in the same manner as other tobacco product unless it is for approved use as nicotine, replacement therapy. However, to date, this approval by the U.S. Food and Drug Administration does not exist.
- Any tax revenue generated should go toward an electronic cigarette prevention fund that can be administered through the Department of Health.

I urge you to support SB 2495 to protect young people from the harms of a different form and delivery of tobacco/nicotine, electronic cigarettes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Pebbles Fagan", with a long horizontal flourish extending to the right.

Pebbles Fagan, Ph.D., M.P.H.  
Private Citizen of Hawaii and Tobacco Control Researcher  
(Profession: Associate Professor, University of Hawaii)



From: [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
 To: [WAM Testimony](#)  
 Cc: [queverb@gmail.com](mailto:queverb@gmail.com)  
 Subject: Submitted testimony for SB2495 on Feb 20, 2014 09:00AM  
 Date: Wednesday, February 19, 2014 12:25:47 PM

**SB2495**

Submitted on: 2/19/2014

Testimony for WAM on Feb 20, 2014 09:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Quinn R. Allen	Individual	Oppose	No

Comments: There is a lot proposed in this bill, the intent of which I agree with, but the actions of I don't. Electronic cigarettes are not tobacco products. For the entire industry the most they have in common would possibly be the nicotine, if it is derived from tobacco plants (some companies choose to use synthetic, pharmaceutical grade nicotine) and possibly the tobacco flavoring, derived from tobacco plants much the same way that fruit flavors are derived from fruits. This does not mean that all tobacco flavored e-liquid is derived from tobacco plants. Many suppliers use different flavors such as various nut and cream flavors to approximate the taste of different tobaccos. That is it. Smoke is not inhaled or exhaled. The order of magnitude in terms of harmful or toxic particles in e-cigarettes compared to tobacco cigarettes or other tobacco products is so extreme that many researchers and health care professionals find them to be negligible. No one is saying they are safe. I agree more research should be done, and the industry should be regulated, but not as a tobacco product which it clearly is not. While more research needs to be done on it, what research there is that has been done on second-hand vapor has shown it thus far to have no significant impact on other people's health. Forcing e-cigeratte users to use their devices in smoking only areas completely defeats the purpose that most people choose to use e-cigarettes...to get away from tobacco smoke. Please, do not bring up that they should quit or should join a program to quit or should use any of the over the counter cessation products or even the prescription products. For the majority of people those options don't work. Those programs tend to have, at most, a 10% success rate, and that is not even figuring in how long one person in that 10% stays smoke free. Many people fall off the wagon and go back to smoking. I've tried most of that. The over the counter remedies made me ill from the overdose of nicotine to my system, and I was a heavy smoker (pack and a half a day of Marlboro Reds). I would not ever try any of the prescription medications. I don't understand why the FDA would approve a drug with such serious side affects, including depression that can lead to suicide, and yet fight so vigorously against a product that, to date, has shown no serious side effects, caused no serious harm, and has been shown to have an 80% success rate in getting people to not only stop smoking but continue to stop the use of it over the long run. Then there are the stop smoking programs. Aside from the majority of them taking the same approach, and doing so with the best of intentions, they are once again ineffective. I've seen the damage smoking does to



our organs. It didn't deter me. I already eat healthy and lead a very active and fulfilling lifestyle. I fully promote the use of therapy and feel that everyone would benefit from seeing a therapist, but that is not always affordable monetarily or timely. I also question the effectiveness of any organization that relies on funding from the sales of tobacco to get people to stop smoking. That makes absolutely no business sense. They may have goals to meet in order to receive funding, but if they actually succeeded in their occupation they would be out of work, so I don't see how it would be in their best interest to get everyone to stop smoking. Why should I be forced to pay more for my e-cigarette supplies to see that money going to ineffective programs that do more harm than good? Along with that, why should I support a bill, such as this one, that has massive potential to send thousands of people back to smoking tobacco cigarettes? Electronic cigarettes are a safer and more affordable alternative. And this ridiculousness about requiring all sales to be face to face? That is such utter nonsense. Hawaii is home to a major player in the e-cigarette industry and their potential is still growing. They are already doing business across the nation and internationally, and that is all revenue coming into the state that wasn't their before. Its not temperamental, like the tourism industry. It has provided countless jobs, not just for the people that manage the on-line sales of these products, but also for all of the smaller, privately owned businesses that have opened up. This bill would put hundreds, if not thousands of people out of work locally, further draining our economy. I realize you have most likely received hundreds of messages like this, and I apologize for some of the more outspoken people that love this industry, but please understand it is because they ARE so passionate about these products. Electronic cigarettes have given thousands of people a new lease on life. They are healthier because they stopped using tobacco cigarettes, they are closer to their loved ones, they now have jobs and businesses of their own to work towards their dreams and can see their future opening up to them. Its an exciting industry that is still taking its baby steps. Yes, there needs to be regulation so that everyone is providing the best, safest product possible, but if you cripple the industry now then you shut it down. That only hurts people. That only takes away from the revenue coming in to the state. That only enforces the same old status quo, where people can't afford the higher prices and go back to using tobacco cigarettes, where more businesses shut down and people can't afford homes or to take care of their family properly. Please, don't cripple this industry.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**From:** [AAP Hawaii - K Sthay](#)  
**To:** [WAM Testimony](#)  
**Subject:** Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Thursday, February 20, 2014 8:12:44 AM

---

To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Subject: Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

Dear Senators:

As a pediatrician in Honolulu and President of the American Academy of Pediatrics, Hawaii Chapter, I strongly support SB 2495.

Electronic smoking devices are clearly products meant to approximate the use of cigarettes and other tobacco products. The inclusion of electronic devices that vaporize nicotine is an important step in maintaining consistency in the laws. The definition of tobacco product and smoking must also include the use of these electronic smoking devices, which should be prohibited in the same places that smoking is prohibited, including smoke-free workplaces.

Electronic smoking devices take a mixture of chemicals, including nicotine, and vaporize it at high temperatures. These devices emit nicotine byproducts and a variety of other chemicals, and they have not been fully studied in regards to safety. E-cigarette vapor has been shown to include carcinogens and toxins including nicotine, nitrosamines, diethylene glycol, formaldehyde, and acetaldehyde. The U.S. Food and Drug Administration has exhibited concern regarding the safety of electronic smoking devices as well.

SB 2495 must be passed to provide protection for the public while science continues to emerge with more information about the emissions and chemicals released from the vapor. In the interest of public health, I urge you to pass SB 2495 and prevent electronic smoking devices from sneaking by current smoke-free laws.

Thank you for your consideration and support of this important measure.

Sincerely,

R. Michael Hamilton, MD, MS, FAAP

President, AAP-Hawaii Chapter

[www.hawaiiaap.org](http://www.hawaiiaap.org)

Voice 808/377-5738

Fax 808/377-3683



**From:** [Ramon Sumibcay](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 12:12:43 PM

---

To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Re: Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

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Mahalo.

Ramon Sumibcay  
92-1269 Umena St.  
Kapolei, HI 96707



**From:** [Rebecca Williams](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 10:44:20 AM

---

To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Re: Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

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Mahalo.

Rebecca Williams  
736 Hawaii St.  
Honolulu, HI 96817



**From:** [Boyd, Manager Richard Boyd](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 10:11:35 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

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Mahalo.

Boyd, Manager Richard Boyd  
250 Kawaihae St  
250 Kawaihae St  
Honolulu, HI 96825



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WAM Testimony](#)  
**Cc:** [babyjean@hotmail.com](mailto:babyjean@hotmail.com)  
**Subject:** Submitted testimony for SB2495 on Feb 20, 2014 09:00AM  
**Date:** Wednesday, February 19, 2014 2:25:35 PM

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**SB2495**

Submitted on: 2/19/2014

Testimony for WAM on Feb 20, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ronnie Perry	Individual	Oppose	No

Comments: I strongly OPPOSE this bill. Electronic cigarettes are a great alternative to regular cigarettes. They are not the same. There are no ash, no smoke, no smell, no butt, no chemicals and they do not make you sick. I hate smoking, but sometimes I do smoke when I am stressed. I had an incident where I began chain smoking regular cigarettes and I became very very sick. My boyfriend bought me an e-cigarette and I started to chain smoke that. Immediately my health improved. I could breath and I was not sick. I have given my brother and sister e-cigarettes and their health has improved, not to mention all the horrible smell, butts, ash have been eliminated. Please do not try to kill the e-cigarette, it saves lives and for those that choose to smoke (it is legal you know) it is a way better alternative for them and those around them. PLEASE OPPOSE THIS MISGUIDED BILL. It is obvious those that penned this bill do not know about e-cigarettes and are just getting on the bandwagon the "ban smoking" It is a huge mistake!! We should encourage people to switch to the e-cigarette. You will never get people to quit smoking if they can't. it is better to encourage an alternative or at least not kill it. Please the e-cigarette saves lives! Mahalo Ronnie Perry Joseph Tiner

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**From:** [Roxine Iijima](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Thursday, February 20, 2014 12:02:29 AM

---

To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

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Mahalo.

Roxine Iijima  
45-610 Hinamoe Loop  
Kaneohe, HI 96744



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WAM Testimony](#)  
**Cc:** [Scott@volcanoecigs.com](mailto:Scott@volcanoecigs.com)  
**Subject:** Submitted testimony for SB2495 on Feb 20, 2014 09:00AM  
**Date:** Wednesday, February 19, 2014 2:01:21 PM

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**SB2495**

Submitted on: 2/19/2014

Testimony for WAM on Feb 20, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott Rasak	Individual	Oppose	No

Comments: Aloha, I would like to express my concern for SB4595 headed to W&M tomorrow. This largely destructive bill will have more impact than I believe anyone really realizes. If passed this bill will cripple the growing vapor industry here in Hawaii. VOLCANO eCigs currently employs over 100 full time employees and a bill such as this would end most jobs for these individuals in addition to G.E. tax produced here in Hawaii. Trying to cram vapor products into a tobacco regulatory framework for legislative means is not the correct approach to this product category. There is a huge potential here in Hawaii for these products and they have already been vastly successful without such massive government legislature. There is large body of tens of thousands who support this product here in Hawaii and also would in turn support those Senators who act in the best interest of the industry. I would be happy to answer any questions you may have regarding the product and it's benefits to Hawaii. Bottom line, do not pass SB2495 unless you understand the monumental impact it will have. There is NO TOBACCO in these products. They consist of only 4 ingredients, all of which can be found in other FDA approved consumer goods. You will have to tax toothpaste as well if your plan on taxing ecigs in Hawaii. Thank you for your time. Scott Rasak

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**From:** [Serenity Chambers](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 4:01:32 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

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Mahalo.

Serenity Chambers  
PO box 631411  
Lanai city, HI 96763



**From:** [Tyler Ralston](#)  
**To:** [WAM Testimony](#)  
**Subject:** Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices  
**Date:** Wednesday, February 19, 2014 6:05:54 PM

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To: Sen. David Y. Ige, Chair, Committee on Ways & Means  
Sen. Michelle N. Kidani, Vice Chair, Committee on Ways & Means  
Members, Senate Committee on Ways & Means

Re: Strong Support for SB 2495 SD 1, Relating to Electronic Smoking Devices

Hrg: February 20, 2014 at 9:00 a.m. in Room 211

Thank you for the opportunity to submit testimony in support of SB 2495, SD1. I strongly support regulating electronic smoking devices (ESDs) by creating licensing and permitting processes and fees; prohibiting the use of ESDs in places open to the public and places of employment; and restricting the sale, distribution, or display of ESDs to be the same as cigarettes and other tobacco products.

I support including “electronic smoking devices” in the definition of “tobacco product” and “smoke or smoking” in the smoke-free workplace law, and to prohibit the use of electronic smoking devices in the places where smoking is prohibited. Including electronic smoking devices will reduce confusion within society, decrease distractions in the workplace, and protect the social norm.

I support treating ESDs similarly to other tobacco products through requiring a licensing process for wholesalers and a permitting process for retailers. ESDs should be taxed the same as other tobacco products and restricted to the same sale, distribution, and display requirements as cigarettes and other tobacco products.

Electronic smoking devices are currently unregulated and emit unregulated levels of chemicals into the air. Without regulations there is no evidence that the emissions are merely “harmless water vapor.” SB 2495, SD1 must be passed to provide protection for the public while science continues to emerge with more information about the emissions and chemicals released from the vapor. Failing to act may set us back decades.

Mahalo.

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**Subject:** Submitted testimony for SB2495 on Feb 20, 2014 09:00AM  
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**SB2495**

Submitted on: 2/20/2014

Testimony for WAM on Feb 20, 2014 09:00AM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wendell Tanaka	Individual	Oppose	No

Comments: Electroic cigs should not be taxed or banned also if they ban the e-cig then all of steaming machines like starbucks milk steamer, resturant dish washing device should all be removed. Those items use cemicals that disburst unknowed substance into the air.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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