



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

In reply, please refer to:
File:

SENATE COMMITTEE ON HEALTH
SB3123, RELATING TO TOBACCO PRODUCTS

Testimony of Gary L. Gill
Acting Director of Health

February 5, 2014
1:30 pm, Room 229

1 **Department's Position:** The Department of Health (DOH) shares the Legislature's concern over the
2 need to further reduce the prevalence of youth smoking. The DOH opposes this measure in that laws
3 directed at minors' purchase, possession, or use of tobacco products when implemented alone, yield
4 insufficient evidence to determine effectiveness. In short, according to the Centers for Disease Control
5 and Prevention (CDC), these laws have not shown to be successful in reducing youth smoking rates.

6 **Fiscal Implications:** None

7 **Purpose and Justification:** This bill amends section 709-908, HRS, to prohibit the possession of
8 tobacco products and electronic smoking devices by minors. The bill continues to allow a minor to
9 purchase or possess tobacco products or electronic smoking devices in controlled purchases as part of a
10 law enforcement activity or authorized study and permits the possession of tobacco products and
11 electronic smoking devices by a minor in the course of delivery, under the direction of the minor's
12 lawful employer.

13 Smoking and tobacco use remain the leading cause of preventable illness and death in Hawaii,
14 causing over 1,100 deaths annually and resulting in over \$539 million in economic losses. The tobacco

1 industry nationally spends over \$8.5 billion annually on advertising and promotions; \$26.9 million in
2 Hawaii. The industry has continued to market their products with images and messages which strongly
3 resonate among our children.

4 In the CDC Guide to Community Preventive Services, a review of laws that prohibit possession
5 or use of tobacco products by minors and/or that require minors to receive citations and participate in
6 educational programs have been found to be ineffective. Further, these laws had little or no effect on the
7 rates of youth initiation and youth access to tobacco products. Instead, they divert policy attention away
8 from effective tobacco control strategies and relieve the tobacco industry of responsibility for its
9 marketing practices.

10 The DOH feels more effective measures to impact youth access to tobacco include: 1) the
11 passage of laws that impact the time, place, and manner as to how tobacco products are sold; 2) a strong
12 merchant education effort; 3) strong enforcement; 4) consistent adjudication by the courts; and 5) greater
13 public and community awareness. These actions, when taken together, will reduce both the appeal and
14 the access to tobacco products to Hawaii's youth.

15 Thank you for the opportunity to testify.

THE SENATE
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2014

COMMITTEE ON HEALTH
FRIDAY, FEBRUARY 5, 2014 1:30 PM
CONFERENCE ROOM 229

Testimony

Kathleen Corpuz, Student, Farrington High School

As a student from Farrington High School, I strongly support SB3123 to prevent minors under 18 years old to purchase or possess any tobacco product. Even though minors under eighteen years old may not purchase any tobacco products, it is possible for minors to use it. On the day of my 18th birthday, some of my friends asked me to purchase a pack of cigarettes for them, so that they can smoke it. I quickly hesitated to purchase a pack of cigarettes for them, but they argued that I will not receive any consequences because I was at the right of age and that no one has the authority to take the cigarettes away from them. After many times of denying their request, my friends finally gave up. I realized that it is quite easy for minors to have access on any tobacco product due to the fact that minors can easily have access to cigarettes by asking an adult friend to purchase and provide it for them. In fact, being able to have cigarettes with them will encourage minors to smoke it anytime as they wish because no one will punish them for using it.

Coming from a large school, I have seen other students hide their pack of cigarettes in their back packs and no one will try to confiscate it because there is no punishment for a minor to have it with them; therefore, they continue to keep tobacco products with them. Once these students leave campus, they quickly take out their pack of cigarettes to smoke as they travel to their destination.

While adults can purchase any tobacco product, they can influence minors to use it because there is no law that prohibits minors to own tobacco products. For this reason, establishing a law that makes it illegal for minors to purchase or possess tobacco products will help prevent minors from smoking. This law will enforce minors to stop smoking because they will realize that there are consequences they have to face.

Thank you for the opportunity to submit testimony in support of this bill.

Mahalo,

Kathleen Corpuz

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: Karen@RedwoodGames.com
Subject: Submitted testimony for SB3123 on Feb 5, 2014 13:30PM
Date: Wednesday, February 05, 2014 8:18:11 AM

SB3123

Submitted on: 2/5/2014

Testimony for HTH on Feb 5, 2014 13:30PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Chun	Individual	Support	No

Comments: E-cigs are cheap way to get kids hooked on nicotine with absolutely NO STUDIES on the effects of breathing a vapor composed of nicotine and propylene glycol -- who KNOWS what this is doing to the lungs. Is it better than smoke from cigarets? We don't know. We HOPE so. But we just don't know. But bottom line - allowing kids to possess any form of addictive nicotine SHOULD be illegal.

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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