

Honolulu, Hawaii
March 18, 2016

RE: S.B. No. 2688
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 2688, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE SALE OF E-LIQUID,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit the sale or offering for sale of certain e-liquid containers for electronic smoking devices unless the container is child-resistant and, if the container is for an e-liquid product containing nicotine, is labeled with warning language, violation of which is a penalty;
- (2) Establish e-liquid packaging standards in the Hawaii Poison Prevention Packaging Act pursuant to chapter 330C, Hawaii Revised Statutes; and
- (3) Expand the definition of "hazardous substance" as used in the Hawaii Poison Prevention Packaging Act to include e-liquid.

The Department of Health, University of Hawaii Cancer Center, and Coalition for a Tobacco-Free Hawaii provided testimony in support of the measure. Hawaii Vapers United, Hawaii Smokers Alliance, and many individuals provided testimony in opposition. VOLCANO Fine Electronic Cigarettes provided comments.

SB2688 HD1 HSCR HLT HMS 2016-2730



Your Committee has amended this measure by:

- (1) Changing the packaging warning to read as follows:
"Warning: Contains nicotine: (mg/mL).
Over 21 only. Do not swallow or get on skin or eyes.
Keep out of reach of children and pets. For help call
911 or Hawaii Poison Control Center: 800-222-1222."; and
- (2) Changing its effective date to January 7, 2112, to
encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2688, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2688, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Health,



DELLA AU BELATTI, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR 1117-16

Record of Votes of the Committee on Health

Bill/Resolution No.: SB 2689, SD2	Committee Referral: HLT, CPC, JVD	Date: 3/16/16		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	✓			
2. CREAGAN, Richard P. (VC)	✓			
3. HASHEM, Mark J.	✓			
4. JORDAN, Jo	✓			
5. KOBAYASHI, Bertrand	✓			
6. MORIKAWA, Dee	✓			
7. OSHIRO, Marcus R.				✓
8. FUKUMOTO CHANG, Beth	✓			
9. TUPOLA, Andria P.L.		✓		
TOTAL (9)	7	1		1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office- Duplicate (Pink) – HMSO				