

Honolulu, Hawaii

FEB 19 2016

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

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 2688 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to prohibit, beginning January 1, 2017, 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.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i Cancer Center, Coalition for a Tobacco-Free Hawai'i, VOLCANO Fine Electronic Cigarettes, and Black Lava Vape. Your Committee received testimony in opposition to this measure from eight individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that according to the Centers for Disease Control and Prevention, calls to poison control centers across the country related to exposure to nicotine in cigarettes have grown considerably since 2010. Poison experts warn that concentrated nicotine in liquid form is significantly toxic, even in small doses, as poisonings related to e-liquid containers can occur when nicotine is inhaled or absorbed through the skin or eyes.



Your Committee further finds that the packaging and use of electronic smoking devices are potentially hazardous to the health of Hawaii residents, including Hawaii's children, yet many liquids for electronic smoking devices are offered in flavors and scents that are appealing to children. There are currently no packaging requirements for the sale of e-liquid containers. Stringent packaging and labeling requirements for e-liquid containers will protect young children from inadvertent exposure to the contents of electronic smoking device cartridges and also inform consumers whether an e-liquid product contains nicotine, a highly addictive substance.

Your Committee has amended this measure by:

- (1) Inserting additional labeling requirements for e-liquid product packaging;
- (2) Inserting language that establishes e-liquid packaging standards in the Hawaii Poison Prevention Packaging Act pursuant to chapter 330C, Hawaii Revised Statutes;
- (3) Expanding the definition of "hazardous substance" as used in the Hawaii Poison Prevention Packaging Act to include e-liquid; 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 Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2688, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2688, S.D. 1, and be referred to your Committee on Judiciary and Labor.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2688	CPH, JDL	2-6-16		
<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
BAKER, Rosalyn H. (C)	/			
KIDANI, Michelle N. (VC)	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.				/
SLOM, Sam				/
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
<i>Michelle N. Kidani</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes