



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the
House Committee on Judiciary
February 24, 2015 at 2:00 pm

By

Robert Bley-Vroman, Chancellor
and

Jerris Hedges, MD, MS, MMM
Dean, John A. Burns School of Medicine
Interim Director, University of Hawai'i Cancer Center
University of Hawai'i at Mānoa

HB 385 HD1 – RELATING TO HEALTH

Chair Rhoads, Vice Chair San Buenaventura, 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 United States 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, and 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 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 issues related to tobacco very seriously, and have always supported strong tobacco control measures in Hawai'i.

Likewise, our perspective on electronic smoking devices is informed by scientific literature, including research done by our faculty at the UH Cancer Center. For example, research conducted in Hawai'i high schools by Thomas Wills, PhD, has confirmed that rates of e-cigarette use by Hawai'i adolescents are at least double the rate of e-cigarette use observed in studies of mainland adolescents. Furthermore, his study published in the peer-reviewed journal *Pediatrics* clarified a reason why e-cigarette use is growing nationally among teens, as his data suggest that e-cigarettes may be operating to recruit lower-risk adolescents to smoking. And recently Pallav Pokhrel, PhD, and Thaddeus Herzog, PhD, published on the topic of e-cigarettes and motivation to quit smoking. Drs. Pokhrel and Herzog also assessed differences between smokers who used e-cigarettes to quit versus those who used FDA-approved nicotine replacement therapy. Additionally, these researchers have published on the effects of e-cigarette marketing on harm perceptions, as well as e-cigarette use expectancies and

their impact on e-cigarette use among young adults. This research is vital to gaining an evidence-based understanding of what drives acceptance of this emerging technology, what users believe regarding its safety, and what the consequences are for adolescents, whose brains are particularly susceptible to nicotine.

As scientific research on electronic smoking devices 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 electronic smoking devices to be used as drug delivery devices for substances other than nicotine.

We respectfully urge you to pass this bill.

Testimony of Professor Mark A. Levin *in strong support* for HB 385 HD1

**RELATING TO HEALTH
House Committees on Judiciary
February 24, 2015 at 2:00 PM in Room 325**

Chair Rhoads, Vice-Chair San Buenaventura, and members of the Committee on Judiciary:

Aloha. The dangers from tobacco products -- both incendiary and vapor devices -- are supremely compounded by the addictiveness of nicotine. Medical doctors would explain that the process begins with the development of nicotine receptors in our brains. And younger brains, still the most "under construction," are where receptors can develop fastest and most securely.

This is what lies at the base of the Big Tobacco's money machine. That industry, which has never been a friend to the people of our state, also knows that it is the poor judgments of youth and young adults that make them the full-on targets of constant product marketing, the industry's devastating art.

By barring sales in Hawai'i to youth and young adults before age 21, we'll have fewer in our state becoming addicted, fewer fighting the battle to quit, and fewer losing the battle and dying from cancer and the other diseases caused by tobacco use. Just as we are seeing other communities such as New York City taking action, and just as the Hawai'i County so smartly has already done, we will be getting ahead of the game for the 21st century for our state.

Thank you for the opportunity to submit testimony in support of HB 385 HD1. I strongly support raising the age of sale of tobacco products to 21.

Mahalo.

Professor Mark A. Levin
The William S. Richardson School of Law
The University of Hawai'i at Mānoa
2515 Dole St., Honolulu, HI 96822
Tel: 1-808-956-3302

Affiliations are given for identification purposes only. Opinions presented here are personal views and not the official views of the University of Hawai'i or any other organization or entity.



To: The Honorable Karl Rhoads, Chair, Committee on Judiciary
The Honorable Joy A. San Buenaventura, Vice Chair, Committee on Judiciary
Members, House Committee on Judiciary

From: Jessica Yamauchi, Executive Director

Date: February 23, 2015

Hrg: House Committee on Judiciary; Tue., February 24, 2015 at 2:00 p.m. in Rm 325

Re: **Strong Support with recommendations for HB 385, HD1, Relating to Health**

Thank you for the opportunity to offer testimony in **strong support of HB 385, HD1**, which raises the age of sale of tobacco products and electronic smoking devices to 21.

The Coalition for a Tobacco Free Hawaii (Coalition) is a program of the Hawaii Public Health Institute working to reduce tobacco use through education, policy and advocacy. Our program consists of over 100 member organizations and 2,000 advocates that work to create a healthy Hawaii through comprehensive tobacco prevention and control efforts.

The Coalition supports raising the age of sale of tobacco products to 21 to help prevent the initiation of tobacco use among youth.

5,600 kids in Hawaii try smoking for the first time each year, as a result 1,400 of them become regular smokers each year.¹ According to the US Surgeon General's report in 2012, 95% of all adult smokers start smoking before the age of 21.² Three out of four teen smokers continue to smoke into adulthood, even if they intend to quit.³ 1,200 people die from tobacco use or exposure in Hawaii each year.⁴

Delaying the age that youth begin using tobacco will reduce the risk that they will become regular smokers as they get older, leading to lower prevalence rates and saving millions of dollars in health care costs.⁵ Risk for smoking-caused diseases increases depending on how long the person smokes, and smokers who start at a young age are among the heaviest users.⁶

¹ Hawaii State Department of Health, Tobacco Prevention and Education Program. (2011). *Data Highlights from the 2011 Hawaii Youth Tobacco Survey (YTS) and Comparisons with Prior Years*. Available at http://health.hawaii.gov/about/files/2013/06/2011_HYTS.pdf

² U.S. Department of Health and Human Services. Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012.

³ <http://www.tobaccofreekids.org/research/factsheets/pdf/0127.pdf>

⁴ Campaign for Tobacco-Free Kids, *The Toll of Tobacco in Hawaii*. http://www.tobaccofreekids.org/facts_issues/toll_us/hawaii

⁵ <http://www.tobaccofreekids.org/research/factsheets/pdf/0127.pdf>

⁶ <http://www.tobaccofreekids.org/research/factsheets/pdf/0127.pdf>



Tobacco use causes \$132 billion in health care costs in the US each year⁷, including \$526 million the State of Hawaii.⁸ The measure is expected to reduce these health risks and costs.

In 2013, New York City and Hawaii County, were the third and fourth jurisdictions in the country to pass laws that raise the minimum legal age of sale of tobacco to 21. Since then, more than 40 jurisdictions have passed similar laws. This initiative is growing as officials recognize this as a key prevention measure. With an increasing number of 18 years olds attending high school, there is growing concern of the access underage youth have to tobacco products. This policy would eliminate illegal distribution of tobacco products on high school campuses.

It is important to protect the younger generations from tobacco use. Tobacco companies intentionally target youth to find “replacement smokers” to ensure the economic future of the tobacco industry. According to a Philip Morris report in 1989, “raising the legal minimum age for cigarette purchaser to 21 could gut our key young adult market (17-20) where we sell about 25 billion cigarettes and enjoy a 70 percent market share.”⁹

Strong support for raising the age of sale:

Following the Hawaii County Ordinance there was great support by the community, state agencies, and the media. The Star Advertiser “applaud[ed] Hawaii County for enacting a law that raises the legal age for buying tobacco products from 18 to 21, leading the way not only in the islands but in the country as a whole. . .”¹⁰ An independent poll conducted by SMS in 2014 for the Coalition found that 77% of Hawaii residents support a law raising the age of sale of tobacco to 21.

The Coalition offers the following amendments:

- (1) When referring to “cigarette vending machine” reference “tobacco product sales” so it is not only limited to cigarettes.
- (2) Change effective date to January 1, 2016.

The Coalition will work with state departments on enforcement and implementation

The Coalition is willing to provide educational materials and any pertinent research to all state agencies and enforcement departments, such as the Honolulu Police Department, regarding the new law should it pass. Before Hawaii County Ordinance 13-124 went into effect on July 1, 2014, the Coalition, in partnership with the Mayor’s Office, Councilmember Kanuha’s Office,

⁷ Campaign for Tobacco-Free Kids, *Toll of Tobacco in the USA*
<http://www.tobaccofreekids.org/research/factsheets/pdf/0072.pdf>

⁸ Campaign for Tobacco-Free Kids, *The Toll of Tobacco in Hawaii*.
http://www.tobaccofreekids.org/facts_issues/toll_us/hawaii

⁹ Campaign for Tobacco-Free Kids, <http://www.tobaccofreekids.org/research/factsheets/pdf/0376.pdf>

¹⁰ Star Advertiser, “State should raise age to buy tobacco,” July 7, 2014. Available at http://www.staradvertiser.com/editorialspremium/20140706_State_should_raise_age_to_buy_tobacco.html?id=265943971&id=265943971&c=n



and the Department of Health provided informational briefings for retailers. Many retailers from the tobacco and e-cigarette industry came and received information from the Hawaii County Police Department and Prosecutor's Office. The Coalition plans to work with the Department of Health to provide the same opportunities if this measure were to pass.

Raising the age of sale of tobacco is a growing trend nationally where young people are now protected in 50 cities/counties in 7 states in the United States. Hawaii has the opportunity to be the first state to raise the age of sale of tobacco products to 21. This measure will continue to place Hawaii at the forefront of tobacco prevention and control. Thank you for the opportunity to testify on this matter.

Respectfully,



Jessica Yamauchi, MA
Executive Director



UNIVERSITY
of HAWAII®
MĀNOA

University Health Services Mānoa
Health Promotion Program

February 23, 2015

TO: Members of the Senate Committee on Judiciary

RE: HB 385 (2015) – **SUPPORT**

Date: Tuesday, February 24, 2015

FROM: Members of the University of Hawaii Student Health Advisory Council

The University of Hawaii Student Health Advisory Council strongly supports the efforts to pass HB 385 which will raise the age of sale of all tobacco products to 21 years old.

The Student Health Advisory Council is a student leadership and advocacy group that plays a pivotal role in the development and implementation of the health policies and programs that impact the UH System campuses. Tobacco companies target youth and young adults with marketing and advertising designed to get individuals addicted at an early age. In response, we are committed to the mission of improving college health by reducing the use of tobacco products including electronic smoking devices among the adolescent and young adult population.

Tobacco products pose not only a serious public health concern, but are also a detrimental distraction to the learning environment. Therefore, the Student Health Advisory Council strongly supports HB 385.

Mahalo nui loa, for your efforts to protect the young people of Hawaii.

Aloha,

Stormy Dodge, Blane Garcia & Ku‘uleialohaonalani Salzer –Co Chairs
UH Student Health Advisory Council

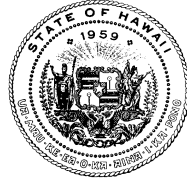
2600 Campus Rd #313D
Honolulu, HI 96822
Telephone: (808) 956-3574/956-3453
An Equal Opportunity/Affirmative Action Institution

Submitted By	Organization	Testifier Position	Present at Hearing
Elena Cabatu	Individual	Support	No

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Marshall	Individual	Support	No

Comments:



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB0385,HD1
RELATING TO HEALTH**

REPRESENTATIVE KARL RHOADS, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: February 24, 2015 Room Number: 325

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) supports HB0385,HD1 as a policy
3 strategy to reduce smoking and other tobacco product use by young persons.

4 This measure increases the minimum age in which one can sell, furnish, distribute or
5 purchase tobacco or electronic smoking devices (ESDs) from the age of 18 to 21 years. The
6 DOH supports the removal of all references to the “grandfather clause” and the inclusion of the
7 recommended definition of ESD as vetted by the Office of the Attorney General. The DOH
8 suggests an effective date of 01/01/2016.

9 Tobacco use remains the leading cause of preventable disease, disability, and death in the
10 United States. Nationally, nearly 1,000 youth under the age of 18 become regular smokers daily,
11 and almost one-third of them will die from it. In Hawaii, 10% of high school youth or 4,400
12 youth currently smoke (2013 Youth Risk Behavior Survey) and 15% of young adults, aged 18 to
13 24 years (19,400) are also current smokers (2013 Behavioral Risk Factor Surveillance System).

14 National data from the 2012 U.S. Surgeon General’s Report shows that 95% of adult
15 smokers begin smoking before the age of 21 years, and 80% try their first cigarette before age
16 18. Nearly half of adult smokers become regular, daily smokers before age 18; more than 75%
17 become regular, daily smokers before they turn 21. This means the 18 to 21 year group is a time
18 when many smokers transition to regular use of cigarettes. Tobacco companies heavily target
19 young adults through a variety of marketing activities because they know it is a critical time
20 period for solidifying nicotine addiction.

1 In addition to high tobacco taxes, comprehensive smoke-free laws, and comprehensive
2 tobacco prevention and control programs, increasing the minimum legal sale age for tobacco
3 products from 18 to 21 years has emerged as a recommended Centers for Disease Control and
4 Prevention (CDC) policy strategy to reduce youth tobacco use and help users quit. This is a
5 growing trend nationally, as there are a number of municipalities, including New York City, that
6 have passed similar legislation and three states – Utah, Washington State and California – have
7 introduced “Age 21 Legislation” comparable to HB0385. Hawaii could lead the nation by
8 becoming the first state to increase the minimum legal age for sale of tobacco products to 21.

9 The DOH supports the inclusion of ESDs in this bill as a key element in limiting access
10 to this potentially hazardous product to persons under 21. The University of Hawaii Cancer
11 Center (UHCC), in a recent report, acknowledges that nearly half of all young adults in Hawaii
12 have tried ESDs, and 28% reported using ESDs in the past 30 days.¹ ESD use is also increasing
13 at an alarming rate among school aged youth. Reported “vaping” of ESDs has tripled among
14 Hawaii high school students and quadrupled among middle school students from 2011 to 2013.

15 HB0385 could increase the age gap between adolescents initiating tobacco use, including
16 ESDs, and those who can legally provide them with tobacco products. It could reduce the risk of
17 young people transitioning to regular or daily use. Adolescents would find it more difficult to
18 pass themselves off as 21-year olds than 18-year olds, and it would simplify identification checks
19 for retailers.

20 The DOH is committed to providing legal signage, educational materials and information
21 for retailers, enforcement agencies and the community if this bill is passed. Although this
22 measure would not totally eliminate underage tobacco use, HB0385 is a viable strategy to reduce
23 access to tobacco for a young and vulnerable population and prevent a lifelong addiction.

24 **Offered Amendments:** The DOH recommends amending HB0385,HD1 by changing the
25 effective date to 01/01/2016.

26 Thank you for this opportunity to testify.

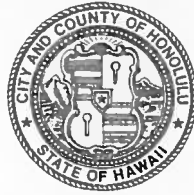
¹ Pokhrel P, Little MA, Fagan P, Muranaka N, Herzog TA. *Electronic cigarette use outcome expectancies among college students*. Addic Behav. 2014 Un; 39(6): 1062-5

LATE

POLICE DEPARTMENT

CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



KIRK W. CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE RA-YZ

February 24, 2015

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: House Bill No. 385, H.D. 1, Relating to Health

I am Raymond Ancheta, Major of the Community Affairs Division, Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 385, H.D. 1, Relating to Health. This bill increases the minimum age to purchase tobacco products to twenty-one years old. As law enforcement officers, our primary mission is protecting lives. Preventing those below the age of twenty-one from purchasing tobacco products will hopefully allow them to make the informed decision to stay away from tobacco products and the life threatening effects they cause.

The HPD urges you to support House Bill No. 385, H.D. 1, Relating to Health.

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

Sincerely,

A handwritten signature in black ink that reads "Ray" followed by a stylized flourish.

Raymond Ancheta, Major
Community Affairs Division

APPROVED:

A handwritten signature in black ink that reads "Louis M. Kealoa" with a stylized flourish.

Louis M. Kealoa
Chief of Police

LATE



American Cancer Society
Cancer Action Network
2370 Nu`uanu Avenue
Honolulu, Hawai`i 96817
808.432.9149
www.acscan.org

House Committee on the Judiciary
Representative Karl Rhoads, Chair
Representative Joy San Buenaventura, Vice Chair
Member of the Committee

HB 385, HD1 – RELATING TO HEALTH

Cory Chun, Government Relations Director – Hawaii Pacific
American Cancer Society Cancer Action Network

Thank you for the opportunity to provide testimony in support of HB 385 HD1, which increases the age to purchase tobacco products and electronic smoking devices to 21.

The American Cancer Society Cancer Action Network (ACS CAN) is the nation's leading cancer advocacy organization. ACS CAN works with federal, state, and local government bodies to support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem.

According to the U.S. Surgeon General's 2014 report of the health consequences of smoking, 95% of all first tobacco use occurs by age 21.¹ Raising the age on sale for tobacco products to 21 could prevent many young people ages 18-21 from trying tobacco, becoming addicted, and developing a tobacco-related illness.

Thank you for the opportunity to submit testimony on this matter.

¹ U.S. Department of Health and Human Services. *The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014, pp.708.

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American Heart Association Testimony in SUPPORT of HB 385, HD1 "RELATING TO HEALTH"

The American Heart Association SUPPORTS HB 385, HD1 "Relating to Health."

Tobacco use remains the leading cause of preventable death in the United States, killing more than 400,000 people each year. It is known to cause heart disease, stroke, cancer, and respiratory diseases, among other health disorders, and costs the U.S. \$96 billion in health care expenditures each year. Nearly 1,000 kids under the age of 18 become regular, daily smokers each day; and almost one-third will die from it.

In addition to high tobacco taxes, comprehensive smoke-free laws and comprehensive tobacco control and prevention programs, increasing the minimum legal sale age (MLSA) for tobacco products from 18 to 21 has emerged as another policy strategy to reduce youth tobacco use and help users quit. The concept of increasing the MLSA is not new, however.

New laws to increase the tobacco sale age to 21 were recently approved in Hawai'i County; New York City; Suffolk County, NY; Evanston, IL; Englewood, NJ; and numerous communities in Massachusetts

Because it is a relatively new strategy, direct research on increasing the MLSA to 21 is somewhat limited; but the data that are available provide strong reason to believe that it will contribute to reductions in youth tobacco use. Central to the MLSA strategy are the facts that many smokers transition to regular, daily use between the ages of 18 and 21; many young adult smokers serve as a social source of tobacco products for youth; and tobacco companies have long viewed young adults ages 18 to 21 as a target market group.

Nicotine is incredibly addictive, and adolescents and young adults are more susceptible to its effects because their brains are still developing. Delaying the age when young people first experiment with or begin using tobacco can reduce the risk that they will become addicted smokers.

About 700 kids under the age of 18 become regular smokers each day – one in three will eventually die as result. We should do everything we can to prevent young people from smoking and save lives. Increasing the minimum legal age of sale for tobacco products to 21 will help achieve these goals.

The AHA urges your support of HB 385, HD1.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman".

Don Weisman
Hawaii Government Relations Director

*"Building healthier lives,
free of cardiovascular
diseases and stroke."*

life is why™ es por la vida™ 全为生命™

Please remember the American Heart Association in your will.





February

LATE

To: The Honorable Rep. Karl Rhoads, Chair
The Honorable Joy A. San Buenaventura, Vice Chair
Members of the House Judiciary Committee

Re: Strong Support for HB 385,HD1 Relating to Health

Hrg: February 24, 2015 at 2:00PM in Room 325

By: Valerie Chang, JD, Executive Director
Hawaii COPD Coalition, www.hawaiicopd.org
733 Bishop Street, Suite 1550, Honolulu, HI 96813
(808)699-9839
copd.hawaii@yahoo.com

I thank you for this opportunity in **STRONG SUPPORT of HB385, HD1** which increases the minimum age for persons who may purchase tobacco products or electronic smoking devices from eighteen to twenty-one years of age.

My name is Valerie Chang. I am Executive Director of the Hawaii COPD Coalition. Our organization provides services and support to Hawaii's people affected by Chronic Obstructive Pulmonary Disease, more commonly known as emphysema and chronic bronchitis. COPD is now the third leading cause of death in the US and second leading cause of disability. Over 46,015 people in Hawaii have already been diagnosed with COPD and it is estimated that at least 46,015 more people may suffer from COPD but remain undiagnosed. Many of these COPD patients were seduced by nicotine and tobacco when they were very young and unable to quit the addiction for decades, causing irreparable harm. There are over \$55 million in COPD hospital charges in Hawaii each year.

Your Committees are well aware of the many problems faced by Hawaii's people who are addicted to tobacco and nicotine and trying to quit for their health and that of their children and grandchildren. One of the key factors that affects addiction is the age at which the person first starts using tobacco and nicotine, and delaying exposure to these powerful drugs can greatly reduce the likelihood that the person will become an addicted, lifetime user of these products, with the accompanying huge social and medical costs.

The youth tobacco survey in Hawaii and throughout the US is showing an alarming trend of increasing numbers of young people trying and using electronic smoking devices, even while strong improvements have been made in decreasing the number of youth smoking cigarettes. Hawaii has worked too long at improving the health of its people to allow our youth to be seduced by these tobacco products.

Thanks for the opportunity to testify about this issue that is so vital to the health of Hawaii and our nation. This issue is very important to our state and our Hawaii COPD Coalition is very glad that this committee has taken a leadership role in addressing this important matter. Please pass this bill, **HB385,HD1 to help protect our youth**. Thank you.

LATE

LUNG ASSOCIATION®

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To: The Honorable Karl Rhoads, Chair
The Honorable Joy San Buenaventura, Vice Chair
Members of the House Committee on Judiciary

Re: Strong Support for SB385, HD1, Relating to Health

Hrg: February 24, 2015 at 2:00PM in Room 325

Thank you for the opportunity to submit testimony in support of HB 385 which urges Hawaii State to raise the age of sale to 21 to purchase tobacco products and electronic smoking devices. I serve as the Hawai'i director for the American Lung Association of the Mountain Pacific; our mission is to save lives by improving lung health and preventing lung disease.

Tobacco use is still the leading cause of preventable death in the United States and in Hawai'i, and costs our state over \$526 million in healthcare expenditures every year. The American Lung Association released its annual State of Tobacco Control report this January; this report finds tobacco use kills 1,200 of our people each year and has an economic price tag of \$686,772,000. We can and should do more.

Data shows that 95% of adult smokers begin smoking before they turn 21, and a substantial number of smokers start even younger. This legislation would raise the age of sale for tobacco products and electronic smoking devices in Hawai'i to age 21. If our youth and young adults can make it to their 21st birthday without becoming addicted to tobacco, we are increasing their chances of living a tobacco-free life.

Raising the age is a growing trend nationally where young people are protected in 40 cities/counties in six states. Hawai'i has the opportunity to be the first state to raise the age of sale of tobacco products to 21. We respectfully ask you to pass this measure.

I can be reached at 808-687-5375 or knguyen@ala-hawaii.org, should you have any questions. Thank you for the opportunity to provide testimony in support of this measure.

Kind regards,



Kim Nguyen, MSW
Executive Director – Hawai'i
American Lung Association of the Mountain Pacific

LATE

HB385 Opposition Testimony

I am writing in opposition of HB 385 for the following reasons:

1. This bill unnecessarily restricts the freedom of Adults between the ages of 18-21 for no apparent logical reason, alcohol is restricted to prevent incidents of drunk driving, and poor decision making among young adults. However no one is going to smoke or vape too much and get into a car accident, or get pregnant or otherwise engage in irresponsible behavior due to nicotine, nicotine is NOT intoxicating in the same way alcohol is. Nicotine by itself in moderate quantities has been shown to be more or less harmless aside from its addictive nature, Therefore the inclusion of vaping devices (by far the most effective way to STOP smoking harmful cigarettes is doubly nonsensical and if this bill is to pass I URGE you to strip out the inclusion of vaping devices as this will be the primary means young smokers will use to STOP SMOKING.
2. Prohibition laws like this have been proven time after time to be ineffective at curtailing the targeted behavior, I can not think of a single person I know that was not binge drinking by age 17 in spite of laws restricting alcohol. Experience tells us telling young adults they are not allowed to do something is the most surefire way to get them to do that very thing just to spite authority. I myself started smoking at age 15 (in 1997) and had no problem acquiring cigarettes or alcohol at that age, All the testimony in support of this legislation stating they “hope” that this will keep cigarettes and vaping devices out of the hands of young people is simply wishful thinking.
3. If both traditional cigarettes and vaping devices are restricted to 21 and over, young people will have much easier access to much much more harmful cigarettes due to the ease at which a person could purchase a pack of smokes for someone else, asking a stranger to buy you a much less harmful but much more expensive \$200 vape device is much harder than having a older friend or family member purchase a \$10 pack of smokes. In all likelihood this would reduce use of less harmful more expensive vaping devices and INCREASE use of traditional cigarettes among young people determined to “skirt the law” due simply to easier availability and ease of use (as vaping devices require much higher learning curve and must proper use must be taught).

I urge you to reject this bill or at least remove all references to “electronic smoking device” or vaping devices.

Thank you for taking the time to read my comments.

-Justin Wolery

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
P Kuromoto	Individual	Oppose	No

Comments: The inclusion of ecigarettes and vapor products in this legislation is inappropriate. There is little evidence of risk from these devices and they are scientifically proven to be as safe as nicotine gum, patches, etc. Those products are available to consumers 18+ and vapor products are already in a similar position. No more needs to be done. Ecigarettes and vaping have been shown to be at least as effective as patches and gum for smoking cessation. There is no evidence of a gateway effect to smoking. Therefore this bill threatens the health of young smokers. Kill this bill.

LATE

CHAD T. IMANAKA

• Honolulu, Hawaii 96813 • 808-895-7948 • Cimanaka@hawaii.edu

02/22/2015

Aloha Hawaii Council Members,

I urge you to pass Bill HB385, to increase the minimum age in which one can purchase any tobacco product or electronic smoking device from 18 -21 years of age.

Growing up in Hawaii I witnessed first hand how the repercussions of peer pressure can influence and mold a minors decisions. Whether or not they know it to be morally wrong within their own standards they can easily succumb to the what the group is taking part in. Specifically, if this involves smoking cigarettes or the now popular electronic smoking devices I worry that many of these kids will be influenced into trying these “cool” devices only to fall victim to other more dangerous drugs and situations. If this bill were passed the ability and resources to obtain such items would be much more difficult to obtain let alone be able to take openly participate in public, which is what is commonly seen in todays streets.

I urge you to help the community of Hawaii by protecting our youth from making decision they could potentially regret when they're older.

Sincerely,

Chad Imanaka

LATE

By	Organization	Testifier Position	Present at Hearing
Devin Wolery	Individual	Oppose	Yes

Comments: I oppose bill HB385. 18-20 year old's are adults under the law. They have the right to vote, to serve on a jury, to join the military, to enter into contracts, etc. As adults they should have the right to choose for themselves on matters like this. A law raising the age to 21 to buy cigarettes or electronic vapor devices would basically change the definition of "age of consent", which would have far reaching social implications. Additionally, electronic vapor devices do help and encourage people off of smoking tobacco products, with multiple studies that they are less destructive to health than tobacco. <http://www.ecigalternative.com/ecigarette-studies-research.htm> Please remove electronic smoking devices from the bill. Thank you for reading my testimony

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Rex F. Benigno	Individual	Oppose	No

Comments: I Rex F. Benigno oppose to bill HB385. Cause I believe under law. Individuals aged 18-20 are considered adults they have the right to vote, join the military, and etc. As adults, we have the right to make "responsible" choices in our lives. By making a law "raising the age limit to 21" to buy cigarettes and/or electronic smoking devices would change the definition of "age of consent" which would have far reaching social implications. In addition, electronic smoking devices do help and encourage the use of tobacco products. <http://www.ecigalternative.com/ecigarette-studies-research.htm> Please remove electronic smoking devices from the bill. Thank you for reading my testimony

LATE

By	Organization	Testifier Position	Present at Hearing
Brendon Heal	Individual	Oppose	No

Comments:

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Sarina Reilly	Individual	Support	Yes

Comments: I am a senior at Kapolei High School. I support raising the age because I know that many of my friends that have fallen into the habit are taking years off of their lives. I'll ask them where they get it and they just shrug and say that it's everywhere and all you need is enough cash to get a friend to get it for you. I don't want to see my friends and even kids I don't know make decisions that could easily cause them a lot of pain in the future based off what they thought was a good idea when they were still in high school. So it worries me that I hear kids talking about mixing things in their new e-cigarettes and cutting classes to smoke behind the portables. And it worries me even more that when I walk into a bathroom during lunch it smells like I've walked into a cotton candy factory, and I'm shocked when I realize it's just a few girls smoking a flavored cartridge in their e-cigarettes. I've noticed more and more that my peers are being caught in a tobacco trap, and I think that this bill would help keep them safe from tobacco until they were old enough to understand the gravity of their decision to smoke and how it could harm them. Mahalo, Sarina Reilly Kapolei High School

LATE

Date: 015

To: The Honorable Karl Rhoads, Chair
The Honorable Joy San Buenaventura, Vice Chair
Members of the House Committee on Judiciary

Re: Strong Support for SB385, HD1, Relating to Health

Hrg: February 24, 2015 at 2:00PM in Room 325

Thank you for the opportunity to submit testimony in support of HB 385, HD1 which urges Hawaii State to raise the age of sale to 21 to purchase tobacco products and electronic smoking devices.

Tobacco use is still the leading cause of preventable death in the United States and in Hawai'i, and costs our state over \$526 million in healthcare expenditures every year. According to the Surgeon General's 2012 report, 95 percent of adult smokers start smoking before they turn 21.

Tobacco companies intentionally target youth to find "replacement smokers" to ensure the economic future of the tobacco industry. According to a Philip Morris report in 1989, "raising the legal minimum age for cigarette purchaser to 21 could gut our key young adult market (17-20) where we sell about 25 billion cigarettes and enjoy a 70 percent market share."

Delaying the age that youth begin using tobacco will reduce the risk that they will become regular smokers as they get older, leading to lower prevalence rates and saving millions of dollars in health care costs. With an increasing number of 18 years olds attending high school, there is growing concern of the access underage youth have to tobacco products. This policy would eliminate the pressures of illegally distributing tobacco products to high school students.

Raising the age is a growing trend nationally where young people are protected in 50 cities/counties in 7 states in the United States. Hawaii has the opportunity to be the first state to raise the age of sale of tobacco products to 21.

We respectfully ask you to pass this measure.

Mahalo,

Wamya Ogata
94-392 Keehuhiwa St.

House Committee on Judiciary (Oahu)

LATE

Date: February 20, 2015

To: The Honorable Karl Rhoads, Chair
The Honorable Joy San Buenaventura, Vice Chair
Members of the House Committee on Judiciary

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We respectfully ask you to pass this measure.

Mahalo,

Kanani Kilbey
642 Ulukahiki Street

LATE

D 2015

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We respectfully ask you to pass this measure.

Mahalo,

Barbara Nosaka
2216 Hoonanea Street

House Committee on Judiciary (Oahu)

LATE

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We respectfully ask you to pass this measure.

Mahalo,
Joanne Amberg

Joanne Amberg
548 Kaimake Loop

House Committee on Judiciary (Oahu)

LATE

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Mahalo,

Pebbles Fagan
1199 Bishop Street 23A

LATE

Judiciary (Oahu)

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Mahalo,

Tyler Ralston
PO Box 10528

House Committee on Judiciary (Oahu)

LATE

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Mahalo,

Michelle Schiffel
1655 Kanapuu Dr

House Committee on Judiciary (Oahu)

LATE

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We respectfully ask you to pass this measure.

Mahalo,

Mary A. Guinger
24-343 Mahalani St.

LATE

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Mahalo,

Francis Wong
3522 Ala Aloalo Pl.

House Committee on Judiciary (Oahu)

LATE

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Mahalo,

Andrea Davis
59-468 Hoalike Road

Date

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We respectfully ask you to pass this measure.

Mahalo,

Brent Tamamoto
99-210 Kauhale Street

House Committee on Judiciary (Oahu)

LATE

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I have been a Respiratory Therapist for 40 years and seen the ravages of tobacco first-hand. Kids become addicted to tobacco in any form and have to suffer a lifetime of addiction. I am not opposed to E cigarettes as a concept, but flavored smoking solutions target kids. Let's give our keiki the chance to decide as adults.

Raising the age is a growing trend nationally where young people are protected in 50 cities/counties in 7 states in the United States. Hawaii has the opportunity to be the first state to raise the age of sale of tobacco products to 21.

I respectfully ask you to pass this measure.

Mahalo,
Stephen Wehrman RRT
Professor Emeritus, UH/KCC

Stephen Wehrman
4340 Pahoia Ave 9D
Honolulu, HI 96816