

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

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

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: February 13, 2015

Room Number: 329

1 **Fiscal Implications:** None.

2 **Department Testimony:** The Department of Health (DOH) supports the intent of HB0385 as a
3 measure to reduce smoking and other tobacco product (OTP) use by young persons.

4 This measure amends §328J and §709-908, Hawaii Revised Statutes (HRS) to increase
5 the age in which one can sell, furnish, distribute or purchase tobacco or electronic smoking
6 devices (ESDs) from the age of 18 to 21 years. The proposed bill also amends the legal
7 definition of "electronic smoking device."

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

14 National data from the 2012 United States Surgeon General's report show that 95% of
15 adult smokers begin smoking before the age of 21 years, and 80% try their first cigarette before
16 age 18. Nearly half of adult smokers become regular, daily smokers before age 18; more than
17 75% become regular, daily smokers before they turn 21. This means the 18 to 21 year group is a
18 time when many smokers transition to regular use of cigarettes. Tobacco companies heavily
19 target young adults through a variety of marketing activities because they know it is a critical
20 time period for solidifying nicotine addiction. They have admitted in their own internal
21 documents the importance of increasing consumption within this target group in order to

1 maintain a profitable business. The ESD companies (which are increasingly owned by large
2 tobacco companies) are now using well-established advertising techniques promoting ESDs that
3 they have previously used to promote and market tobacco use to youth.

4 In addition to high tobacco taxes, comprehensive smoke-free laws, and comprehensive
5 tobacco prevention and control programs, increasing the minimum legal sale age for tobacco
6 products, from 18 to 21 years, has emerged as a recommended policy strategy to reduce youth
7 tobacco use and help users quit. The August issue of the *Annals of Internal Medicine* cited a
8 “hypothetical health policy model in which the tobacco age of sales is increased to 21 years,
9 projected that youth smoking prevalence could be expected to drop from 22% to less than 9%
10 among persons aged 15 to 17 years within seven years.”

11 The County of Hawaii led the state in enacting legislation in December 2013 to raise the
12 minimum legal age for the sale of tobacco products. There are now four states, and a number of
13 municipalities, including New York City, that has passed similar legislation. Currently, three
14 more states – Utah, Washington State and California – have introduced “Age 21 Legislation”
15 comparable to Hawaii’s SB1030 and HB0587 Relating to Health measures currently being heard
16 by the Legislature.

17 The DOH supports the inclusion of ESDs in this bill as a key element in limiting access
18 to this potentially hazardous product to persons under 21. The University of Hawaii Cancer
19 Center (UHCC), in a recent report, acknowledges that nearly half of all young adults in Hawaii
20 have tried ESDs, and 28% reported using ESDs in the past 30 days.¹

21 A second school-based survey by the UHCC, published in the January 2015 issue of
22 *Pediatrics*, found that 29% of Hawaii ninth and tenth graders in a study had tried ESDs, one of
23 the highest rates of adolescent e-cigarette only use in the existing literature. The 2013 Hawaii
24 Youth Tobacco Survey provides additional data that show Hawaii students are experimenting
25 more with ESDs than their peers in the continental United States. ESD current use is increasing
26 alarmingly. Usage has tripled among our high school students and quadrupled among middle
27 school students from 2011 to 2013.

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

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

6 The DOH realizes that such a measure would not totally eliminate underage tobacco use,
7 but does support HB0385 as a viable strategy to reduce access to tobacco for a young and
8 vulnerable population and prevent a lifelong addiction.

9 **Offered Amendments:** For the purposes of consistency, the DOH recommends amending
10 HB0385 to include the following definition of ESDs, as approved by the State Attorney General:

11 "Electronic smoking device" means any electronic product that can be used to aerosolize
12 and deliver nicotine or other substances to the person inhaling from the device, including
13 but not limited to an electronic cigarette, electronic cigar, electronic cigarillo, electronic
14 pipe, hookah pipe, or hookah pen, and any cartridge or other component of the device or
15 related product, whether or not sold separately."

16 The DOH further recommends deleting the "grandfather clause" as this strategy has been
17 criticized by the business community as confusing and burdensome to implement.

18 Thank you for this opportunity to testify.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the
House Committee on Health
February 13, 2015 at 9:00 am

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 – RELATING TO HEALTH

Chair Belatti, Vice Chair Creagan, 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.



UNIVERSITY
of HAWAII®
MĀNOA

University Health Services Mānoa
Health Promotion Program

February 11, 2015

TO: Members of the Senate Committees on Health and Commerce and Consumer Protection

RE: HB 385 (2015) – **SUPPORT**

Date: Friday, February 13, 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,

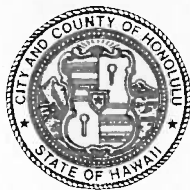
Stormy Dodge, Blane Garcia & Ku‘uleialohaonalani Salzer –Co Chairs

UH Student Health Advisory Council

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

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. MCCAULEY
DEPUTY CHIEFS

OUR REFERENCE

RA-YZ

February 13, 2015

The Honorable Dell Au Belatti, Chair
and Members
Committee on Health
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Au Belatti and Members:

SUBJECT: House Bill No. 385, 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, 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, Relating to Health.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond Ancheta", written over a horizontal line.

Raymond Ancheta, Major
Community Affairs Division

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoha", written over a horizontal line.

Louis M. Kealoha
Chief of Police

Serving and Protecting With Aloha

February 13, 2015

To: The Honorable Della Au Belatti, Chair
The Honorable Richard P. Creagan, Vice Chair
Members of the House Committee on Health

Re: Strong Support for HB 385, Relating to Health

Hrg: February 13, 2015 at 9:00AM in Room 329

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



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

The American Heart Association SUPPORTS HB 385, "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.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive style.

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.





To: The Honorable Della Au Belatti, Chair, Committee on Health
The Honorable Richard P. Creagan, Vice Chair, Committee on Health
Members, House Committee on Health

From: Jessica Yamauchi, Executive Director

Date: February 12, 2015

Hrg: House Committee on Health; Fri., February 13, 2015 at 9:00 a.m. in Rm 329

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

Thank you for the opportunity to offer testimony in **strong support of HB 385**, 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) Defining tobacco products and electronic smoking device similar to the definitions provided in HB 587 and SB 1030.
- (2) When referring to “cigarette vending machine” reference “tobacco product sales” so it is not only limited to cigarettes.
- (3) Change effective date to January 1, 2016 rather than July 1, 2016 since there is a grandfathering clause.
- (4) Page 4, line 2 should read “. . .sale of tobacco products AND ELECTRONIC SMOKING DEVICES to persons born after. . .”
- (5) Page 4, line 18: consider changing the “or” to “and” so it reads “. . .sale of tobacco products AND electronic smoking devices. . .”

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



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, 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 40 cities/counties in 6 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

creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 6:14 PM
To: HLTtestimony
Cc: tandemadams@gmail.com
Subject: *Submitted testimony for HB385 on Feb 13, 2015 09:00AM*

HB385

Submitted on: 2/11/2015

Testimony for HLT on Feb 13, 2015 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Adams	Hawaii community pharmacy association	Support	No

Comments:

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197 Sand Island Access Rd, Suite #213

Honolulu, Hawaii 96819

1-866-866-6370

support@volcanoecigs.com

February 9, 2015

To: Senators MIZUNO, BELATTI, CREAGAN, MCKELVEY, RHOADS

From: Scott Rasak, VOLCANO Fine Electronic Cigarettes® Vice President

RE: HB385 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes® is the largest manufacturer and retailer of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 11 locations statewide and employ over 100 full-time workers to support sales of our products not only here in Hawaii, but to all 50 states as well as Japan and the UK. We stand in opposition to HB385 for the following:

- HB385 unfairly restricts sales of vapor products to young adults between the ages of 18 and 21. This prohibition even extends to vapor products that do not contain nicotine, yet it does not apply to tobacco-free and nicotine-free products like herbal cigarettes or imitation snuff.
- While we agree with Hawaii's existing prohibition on the sale of nicotine-containing and non-nicotine electronic cigarettes to those under the age of 18, we feel that this bill reaches too far. It is widely accepted across the US that 18 is the year at which a person becomes an adult and is able to make decisions in regards to their own health and well-being. We agree with this standard. By arbitrarily forcing this restriction on young adults -- including those young adults who can legally purchase tobacco products or electronic cigarettes today -- it could have

the unintended consequence of encouraging them to engage in what could be perceived as ‘dangerous behavior.’ This feeds into the same prohibition mentality that has been proven to not work time and time again over many decades of well-intentioned legislative sessions.

- HB385 does not include bans on nicotine containing cessation products such as lozenges, patches, inhalers and other nicotine containing products. Evidence indicates that these products have risk profiles similar to electronic cigarettes.
- The Food and Drug Administration (FDA) has wisely taken its time on developing regulations for the vapor product industry and has not determined that these products are in fact tobacco products . At this time, with the exception of youth access laws targeted at keeping electronic cigarettes out of the hands of those below the age of 18, we feel that any action by state legislatures with regard to electronic cigarettes is premature.
- Over the years that we have been in business in the state, we have provided a product that tens of thousands of customers use every day to greatly reduce their tobacco use or quit smoking altogether. This has improved the lives of smokers and ex-smokers in this state. The removal of secondhand smoke has helped non-smokers as well and has cut down on the amount of butt discard in our community.
- VOLCANO Fine Electronic Cigarettes is currently one of the largest electronic cigarette suppliers in the mainland U.S. We are also the number one FedEx shipper in the State of

Hawaii. We bring money into the local economy from the mainland and have



197 Sand Island Access Rd, Suite #213

Honolulu, Hawaii 96819

1-866-866-6370

support@volcanoecigs.com

provided a much-needed boost to Hawaii by hiring local employees. Throughout the recession we have grown our business and our taxable revenues every year.

Thank you for your time and consideration. If you have any questions, please feel free to contact me or Volcano's representative Celeste Nip at nipfire@me.com.

Sincerely,

Scott Rasak ,Vice President

VOLCANO Fine Electronic Cigarettes®

creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 11:58 AM
To: HLTtestimony
Cc: joyamarshall0416@gmail.com
Subject: *Submitted testimony for HB385 on Feb 13, 2015 09:00AM*

HB385

Submitted on: 2/10/2015

Testimony for HLT on Feb 13, 2015 09:00AM in Conference Room 329

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

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 11, 2015 2:06 PM
To: HLTtestimony
Cc: goomale@yahoo.com
Subject: Submitted testimony for HB385 on Feb 13, 2015 09:00AM

HB385

Submitted on: 2/11/2015

Testimony for HLT on Feb 13, 2015 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Maile Goo	Individual	Support	No

Comments: February 11, 2015 To: The Honorable Della Au Belatti, Chair The Honorable Richard P. Creagan, Vice Chair Members of the House Committee on Health Re: Strong Support for HB 385, Relating to Health Hrg: February 13, 2015 at 9:00AM in Room 329 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. 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 Phillip 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 40 cities/counties in 6 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. Mahalo, Maile Goo 3683 Woodlawn Terrace Place Honolulu, Hawaii 96822

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creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 12, 2015 8:31 AM
To: HLTtestimony
Cc: ThomasNoyes@hawaiiantel.net
Subject: Submitted testimony for HB385 on Feb 13, 2015 09:00AM

HB385

Submitted on: 2/12/2015

Testimony for HLT on Feb 13, 2015 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Tommy Noyes	Individual	Support	No

Comments: Aloha. My son started smoking at age 14, and is struggling to quit now at age 35. After wasting many thousands of dollars buying cigarettes and risking his health, we both wish he'd never started. If a person can make it to their 21st birthday without becoming addicted to tobacco, they are much more likely to be tobacco-free their entire lives. Please vote in favor of this bill. Mahalo.

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House Committee on Health
Hawaii State Legislature

February 13, 2015

To: The Honorable Della Au Belatti, Chair
The Honorable Richard P. Creagan, Vice Chair
Members of the House Committee on Health

Re: Strong Support for HB 385, Relating to Health

Hrg: February 13, 2015 at 9:00AM in Room 329

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House Committee on Health
Hawaii State Legislature

February 13, 2015

To: The Honorable Della Au Belatti, Chair
The Honorable Richard P. Creagan, Vice Chair
Members of the House Committee on Health

Re: Strong Support for HB 385, Relating to Health

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Beau Lani Barker
2370 Nuuanu Ave
Honolulu, HI 96817

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February 13, 2015

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Mahaalo,
Stephanie Moir

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I have been a respiratory therapist for 35 years. I have seen first-hand how tobacco has harmed people. I know this will make a difference for our kids! I strongly urge you to support this bill.

Mahaalo

Steve Wehrman RRT

Stephen Wehrman
4340 Pahoia Ave 9D
Honolulu, HI 96816

House Committee on Health
Hawaii State Legislature

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Many thanks. Valerie Yontz

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Valerie Yontz

677 Auwina Street

677 Auwina Street Kailua, HI 96734-3430

Kailua, HI 96734

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Jennifer Hausler
1429 kuloko st
Kuloko
Pearl city, HI 96782

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Michael Kellar
45-401 Moku'ele Dr. #32
Kaneohe, HI 96744

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receiving support for the work, including the number of individuals
Melissa Data
47-498 Apoalewa Pl
Kaneohe, HI 96744

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Michele Nihipali
54-074 Kamehameha Hwy. # A
54-074 A Kam Hwy
Hauula, HI 96717

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Debbie Apolo, CTTS

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Debbie Apolo
810 Richard Street
suite 750
Honolulu, HI 96813

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Yukiko Morimoto
2550 Kuhio Avenue, Apt. 2205
Honolulu, HI 96815

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Keaweaimoku Kaholokula
2316 Kanealii Ave.
Honolulu, HI 96813

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Pebbles Fagan
1199 Bishop Street 23A
23A
Honolulu, HI 96813

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Thank you for the opportunity to submit testimony in support of SB 1030 which urges Hawai'i State to raise the age of sale to 21 to purchase tobacco products and electronic smoking devices.

I am a Hawaiian health advocate and a founding member of the Coalition for a Tobacco-Free Hawai'i.

Tobacco use is still the leading cause of preventable death in the United States and in Hawai'i, costing our state more than \$526 million in healthcare expenditures every year. Indeed, the rate of smoking among Native Hawaiians is 36% higher than the overall population of these islands.

According to the Surgeon General, 95 percent of adult smokers start smoking before they turn 21. My own mother began smoking at the age of 13 and recently passed away due to lung disease related to lifelong tobacco use.

A great body of research demonstrates that delaying the age that youth begin using tobacco will reduce the risk that they will become regular smokers as they get older. Numerous studies indicate this will lead to lower prevalence rates and could save millions of dollars in health care costs.

As a leader in tobacco prevention and education, and in using tobacco settlement funds more appropriately than other states, Hawai'i has the opportunity to be the first state to raise the age of sale of tobacco products to 21.

I strongly urge you to celebrate the State's leadership in reducing tobacco use and to pass this measure.

Mahalo for the opportunity present professional and personal testimony in strong support.

O wau iho no me ka ha'aha'a,

Kim Ku'ulei Birnie

Kim Ku'ulei Birnie
3546 Alani Drive
Honolulu, HI 96822

House Committee on Health
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Kim Swartz
98-1394 Hinu Pl B
Pearl City, HI 96782

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Boyd, Manager Richard Boyd

250 Kawaihae St

250 Kawaihae St

Honolulu, HI 96825

House Committee on Health
Hawaii State Legislature

February 13, 2015

To: The Honorable Della Au Belatti, Chair
The Honorable Richard P. Creagan, Vice Chair
Members of the House Committee on Health

Re: Strong Support for HB 385, Relating to Health

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Maha'lo,
Bryan Mih, MD MPH FAAP
Pediatrician

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Bryan Mih
1944 Naniu Pl
Honolulu, HI 96822

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Kirsten Ralston
PO box 10528
Honolulu, HI 96816

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Many thanks. Valerie Yontz

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valerie yontz
677 Auwina Street
677 Auwina Street Kailua, HI 96734-3430
Kailua, HI 96734

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Kanani Kilbey
1319 Punahou Street, 7th floor
Attn: Dr. Bryan Mih, HEALTHY program
Honolulu, HI 96826

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Jo-Hsi Wang
91-1002 Hooilo Place
Ewa Beach, HI 96706

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Gladys Ernestburg
51-519 kamehameha hwy
KAAAWA, HI 96730

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Lori Lee Goeas
91-1014 Papa`a St.
Kapolei, HI 96707



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

House Committee on Health
Representative Della Au Belatti, Chair
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HB 385 – 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, 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 2012 report, 99% of all first tobacco use occurs by age 26.¹ 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 *Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General*. U.S. Department of Health and Human Services, Office of the Surgeon General. Executive Summary, 2012 at 2.



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Collette Wilhelm
310 North Cane Street Apt. 2D
Wahiawa, HI 96786



February 12, 2015

To: The Honorable Della Au Belatti, Chair
The Honorable Richard P. Creagan, Vice Chair
Members of the House Committee on Health

Re: Strong Support for HB 385, Relating to Health

Hrg: February 13, 2015 at 9:00AM in Room 329

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**, 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, to help protect our youth**. Thank you.

creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 12, 2015 8:11 PM
To: HLTtestimony
Cc: devin@pcgamerzhawaii.com
Subject: Submitted testimony for HB385 on Feb 13, 2015 09:00AM

HB385

Submitted on: 2/12/2015

Testimony for HLT on Feb 13, 2015 09:00AM in Conference Room 329

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

Comments: I oppose this bill, Anyone over 18 is considered an adult and should have their own choice on choosing what is healthy for themselves. If they can fight for their freedoms. They should have the right to choose their health choices. This law would also make it so those consumers in that age range would be more likely to want to do it. Because of the fact it is illegal for them. This is how young people think. It is the same reason their are a lot of problems with underage drinking and underage smoking already. Thank you for reading my testimony.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

House Committee on Health
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February 13, 2015

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Francis Wong
3522 Ala Aloalo Pl.
Honolulu, HI 96818

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Kathryn Braun
625 Iolani Ave #504
Honolulu, HI 96813



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the
House Committee on Health
February 13, 2015 at 9:00 am

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 – RELATING TO HEALTH

Chair Belatti, Vice Chair Creagan, 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.

I stand in opposition for the following reasons:

- Individual businesses should be allowed to decide if they want to allow vaping in their establishments so they have the choice to cater to people using these devices.
- We do not need to pass a law when businesses already apply restrictions on vaping if they choose.
- It would be expensive to resign everything. Maybe \$100,000 to \$200,000? Why do we need to put tax money to this when individual places can simply choose not to or to allow it?
- Is people using ecigs in doors really causing that much of a problem that an individual establishment cannot handle it and needs a specific law written? I was at Chili's a few weeks ago with a group of about 6 friends. 2 of the people in the group took out electronic cigarettes and a Chili's staff member simply stated it was not allowed. My friends went outside.
- Let the FDA finish their studies & decide.
- It should not be restricted to smoking areas by law because it's not smoke!
- When people are using ecigs to stop smoking let's not force them to be standing next to smokers tempting them to pick up the cancer sticks again!
- American Council on Science and Health published an article 2.11.15 sites more studies done that prove ecigs are nowhere near the risks of cigarettes and thus should not be shunned as such.