



**LATE**

February 3, 2015

LATE TESTIMONY: Written only

To: The Honorable Rosalyn H. Baker, Chair  
The Honorable Brian T. Taniguchi, Vice Chair  
Members of the Senate Committee on Commerce and Consumer Protection

From: Hawaii Public Health Association

Subject: SB1220 Relating to Chapter 245, Hawaii Revised Statutes

Dear Chair Baker and Members of the Committee,

HPHA is an association of over 600 community members, public health professionals and organizations statewide dedicated to improving public health. HPHA also serves as a voice for public professionals and as a repository for information about public health in the Pacific.

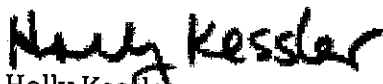
The Hawaii Public Health Association (HPHA) **supports** the passage of SB1220 which would achieve tax parity between cigarettes and other tobacco products (OTP). This bill also requires that subsequent increases in taxation of cigarettes also translate to OTP.

The HPHA affirms this measure's purpose to protect against the inequitable creation of lower-priced tobacco products should cigarette taxes increase. Parity between products protects the public from becoming disproportionately incentivized to purchase OTP. As price is often the driver of consumer behavior, achievement of tax parity would reduce the widening gap.

Smokeless tobacco use is harmful and can be deadly. It causes oral cancer, gum disease, and nicotine addiction. It also increases the risk of cardiovascular disease and heart attacks. By equalizing tax rates on all tobacco products, Hawai'i can achieve similar decreases to use, harms, and costs as is associated with similar decreases in consumption of cigarette usage within the State.

Thank you for the opportunity to provide testimony on important health issues affecting people in Hawai'i.

Respectfully submitted,

  
Holly Kessler  
Executive Director



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Written Testimony Presented Before the  
Senate Committee on Commerce and Consumer Protection  
February 5, 2015, 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

### SB 1220 – RELATING TO CHAPTER 245, HAWAII REVISED STATUTES

Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

The University of Hawai'i Cancer Center strongly supports this bill.

The UH Cancer Center is one of only 68 institutions in the U.S. 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. More importantly, it 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 all issues related to tobacco in Hawai'i very seriously. Whereas the UH Cancer Center always has supported strong tobacco control measures in Hawai'i, the recent emergence of electronic smoking devices presents new challenges for tobacco control and tobacco-related legislation.

The UH Cancer Center perspective on electronic smoking devices is informed by data recently obtained from Hawaii adolescents and young adults who are participants in **original research conducted by our own faculty**. 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.**

Despite the complexities of the larger debate regarding electronic smoking devices, we believe this bill represents reasonable legislation that balances the rights of adults to use electronic smoking devices in appropriate venues while restricting use in public places where conventional cigarettes are banned. We also support the prohibition of the sale of electronic smoking devices to minors, and we support the provisions in this bill that enhance the ability of authorities to enforce these laws.

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.

**LATE**

February 3, 2015

To: Sen. Rosalyn H. Baker, Chair, Committee on Commerce and Consumer Protection  
Sen. Brian T. Taniguchi, Vice Chair, Committee on Commerce and Consumer Protection  
Members, Senate Committee on Commerce and Consumer Protection

Re: Strong Support for SB 1220, Relating to Chapter 245, Hawaii Revised Statutes

Hrg: February 5, 2015 at 9:00 a.m. in Room 229

Thank you for the opportunity to submit testimony in support of SB 1220. I support increasing the tax on other tobacco products (OTPs) to 80% to create parity between cigarettes and OTPs.

Increasing the tax on OTPs will decrease use, ultimately saving lives. Serious health conditions like cancer, gum disease, and cardiovascular disease caused by snuff and chew will be reduced, saving lives and money to the state. Youth are more sensitive to prices than adults. Increasing the tax on OTPs is an additional disincentive for youth to use tobacco products.

As cigarette tax increases, smokers will look towards quitting or they will find cheaper means to continue using tobacco. We must be sure taxes on all tobacco products are equitable so that those who are addicted to nicotine will quit. More smokers quitting, means less cost to our state in tobacco-related medical expenses.

Thank you for the opportunity to provide testimony in support of this measure.

Mahalo.

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

# LATE

Aloha Senators,

I am testifying today in strong opposition of SB1220. An 80% tax on anything seems outrageous to begin with. On top of that you are attempting to levy what amounts to a sin tax on a group of products that you have no evidence cause any harm, permanent or otherwise. If nicotine is the issue, I would have to assume you have approached the coffee shops with the impending Caffeine tax. After all caffeine is as addictive, if not more, according to which research you choose, than nicotine. Just as toxic also. You actually have evidence that these products are markedly less dangerous than the very product they are being compared to and villainized alongside of. There are a lot of products added to this bill but I'll be willing to bet every one of you knew I was talking about e-cigarettes. I am not going to bore you with the same old, I haven't had a cigarette for 18 months and I feel great. I can walk 5 miles, if I had knees it would be run. I can hike and bike and kayak all without debilitating lack of air. Even if it is all true, I won't bore you with that. What I will give you is facts. The FDA hasn't come out with any regulations. They gave a framework for public comment and they took it back to study and see what the responsible thing to do is. That is exactly what you should do. Wait. Wait on the FDA to do their due diligence. Don't throw an exorbitant tax on a product that very well may be SAVING lives. Is that not counter-intuitive? Not the exact opposite of what your attempting to do? These taxes will not only hurt people they will destroy businesses. There are many small businessmen and women that were able to be entrepreneurs. A dream some people have and never get to realize in their entire life. This tax will make it fiscally irresponsible to remain in business. Smoking cigarettes is easier, they are more accessible, no muss no fuss, pack and a lighter and you can pound one more nail. E-cigs are still a niche market, these shops sell e-cigs and accessories almost exclusively. People go back to cigarettes, they close. If you do something to deter someone from doing something that has the very real possibility of saving their lives aren't you causing harm? Wouldn't that be considered bad for the public health? Even if one person goes back to cigarettes because of this isn't it too many? Wait. Wait on the FDA, Wait on more reliable research. Wait before deciding to add to the death toll of cigarettes. An 80% tax on the drug caffeine would have you lynched, with all due respect, why would it be ok to do it to something like nicotine? Lets start the ball rolling by calling apples, apples and oranges, oranges. Combustible cigarettes are known to have carcinogens. E-cigarettes are not, or if you want to argue they do, it is approximately 100 times less. No matter how you apply your semantics to this issue. These are two very different products and deserve to be treated that way. Please do the right thing and vote to oppose SB1220. Save some lives. Mahalo

Sincerely, Tim D Michel

**LATE**

**SB1220**

Submitted on: 2/5/2015

Testimony for CPN on Feb 5, 2015 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Reiger	Individual	Oppose	No

Comments: I have been using electronic vaping devices for couple of years now. In that time, I have seen it change my life and many people around me as well. I have seen it provide jobs and build positive communities between people from all over the country. All in a positive manner. I have personally helped about a dozen people quit smoking, feel better and save money, even quit drugs. All because of vaping. Passing this bill will put an end to this for a lot of people and shut down many local small businesses. Do not let this happen to our people of Hawaii or anywhere else for that matter. Than you for your time.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**LATE**

**SB1220**

Submitted on: 2/4/2015

Testimony for CPN on Feb 5, 2015 09:00AM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacquilynn Wright	Individual	Oppose	No

Comments:

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**LATE**

**SB1220**

Submitted on: 2/4/2015

Testimony for CPN on Feb 5, 2015 09:00AM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alika Spahn Naihe	Individual	Oppose	No

Comments: Vapor products should not be classified as tobacco products. Vapor products (or e-cigs) have been shown to help ex-smokers quit smoking cigarettes and this alone will save hundreds of thousands of lives lost each year to cigarette smoking and related diseases. By taxing vapor products as tobacco products, the state will discourage the use of vapor products. This could discourage smokers to use this successful method of quitting.

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February 5, 2015

**Regarding Bills SB1220 & SB1032**

- 1. Thanks to E Cigs I no longer use nicotine and I have smoked since age 12 and I am now 66.**
- 2. Not all who smoke get cancer and sometimes people who never smoked get cancer.**
- 3. Raising the price will not stop teenagers from smoking. It might make them steal more to get the money.**
- 4. To me there is more harmful ingredients in the air we breath from exhaust pipes and chemicals and Vog.**
- 5. The Truth is Alcohol destroys more lives and families than any cigarette ever did.**

**I Vote No To ANY RAISES IN TAX FOR E CIGS**

Sincerely,

*Lottie Stanback*

Lottie Stanback

P.O. Box 161094  
Hon., HI 96816

- 6. Less fires caused by cigarettes and no butts left on ground.*
- 7. Would burden the people who smoke financially in a already hurting economy.*