



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2017**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 404, RELATING TO CHAPTER 245, HAWAII REVISED STATUTES.

**BEFORE THE:**

SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

**DATE:** Wednesday, February 1, 2017 **TIME:** 9:00 a.m.

**LOCATION:** State Capitol, Room 229

**TESTIFIER(S):** Douglas S. Chin, [REDACTED], or  
Janine R. Udoi, Deputy Attorney General

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Chair Baker and Members of the Committee:

The Department of the Attorney General ("Department") appreciates the intent of this bill and submits the following [REDACTED].

The purpose of this bill is to impose an excise tax on electronic smoking devices, disposable electronic smoking devices, and reusable electronic smoking devices (collectively "electronic smoking devices") as well as e-liquids sold in the State. Additionally, the bill requires retailers of electronic smoking devices and e-liquids to obtain a retail tobacco permit, and increases certain license and permit fees involving the sale of electronic smoking devices and e-liquids.

The Department notes that the wording contained in section 2 of the bill, found on page 6, lines 11 through 18, defining "electronic smoking device" may be overly broad and have the unintended consequence of including items within the definition of an electronic smoking device, which may have uses beyond those contemplated as a component of an electronic smoking device. As proposed in the bill, the term "electronic smoking device" is defined in the following manner:

Electronic smoking device means any electronic product that can be used to aerosolize and deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, hookah pipe, or hookah pen, and any component of the device or related product, whether or not sold

separately, including but not limited to atomizers, coils, drip tips, and tanks. [Emphases added.]

The wording of the bill that includes the phrase “any component of the device or related product, whether or not sold separately,” may result in having the unintended consequence of causing items, such as batteries, that have other uses, to be defined and taxed as electronic smoking devices.

We understand that batteries, in one form or another, may provide the power source for many, if not all, electronic nicotine delivery systems. As this is a tax measure, the bill has the potential to require any batteries that may be sold by any tobacco wholesaler or dealer, to be taxed at a different tax rate than the same batteries sold elsewhere, irrespective of whether the batteries have a practical use apart from being a component of an electronic smoking device or related product. This is because the bill’s wording expands the taxable item to include any component of an electronic smoking device, including a battery, “whether or not sold separately.” These batteries would have the potential to be taxed at seventy percent of the wholesale price even if the battery has a use apart from providing the power source for an electronic nicotine delivery system.

Tobacco wholesalers and dealers often deal with products aside from cigarettes and tobacco products. For instance, large box stores may sell cigarettes and other tobacco products at wholesale and retail in addition to other types of products, including various types of batteries. A possible remedy to this potential problem would be to specifically exclude batteries that are sold separately from any electronic smoking device or electronic nicotine delivery system.

The Department also recommends the following amendments that are technical in nature and simply clarify the definition of certain terms to promote consistency and reflect the intent of the bill.

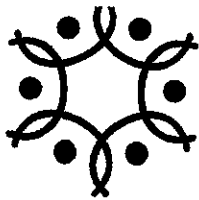
In section 2, on page 6, line 15, of the bill, the definition of “electronic smoking device” includes a “hookah pipe.” As traditional hookah pipes do not generally require an electrical power source, the Department recommends

amending the definition of "electronic smoking device" to change the phrase "hookah pipe" to read "electronic hookah pipe," to clarify what constitutes an electronic smoking device.

We recommend the bill amend the definition of "retail tobacco permit" as currently set forth in section 245-1, Hawaii Revised Statutes, to include "electronic smoking devices, or e-liquid" to remain consistent with the amendments to definitions contained within the bill.

We further recommend the bill also amend the definition of "license" as currently set forth in section 245-1 to include "electronic smoking devices, or e-liquid" to remain consistent with the amendments to definitions contained within the bill.

The Department respectfully recommends that the above matters be considered and that the suggested changes be made in order to better promote the intent of this bill. Thank you for the opportunity to testify.



Hawaii  
**Children's Action Network**  
Building a unified voice for Hawaii's children

January 31, 2017

To: Senator Rosalyn Baker, Chair  
Senator Clarence Nishihara, Vice Chair  
Committee on Commerce, Consumer Protection, and Health

**LATE**

From: Deborah Zysman, Executive Director  
[REDACTED]

Re: **SB 404 – Relating to Chapter 245, Hawaii Revised Statutes.**  
**Hawaii State Capitol, Room 229, February 1, 2017, 9:00 AM**

On behalf of Hawaii Children's Action Network (HCAN), we are writing to support the SB 404 – Relating to Chapter 245, Hawaii Revised Statutes.

This bill would create a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit. Now that the FDA has deemed ESDs as tobacco products, the Hawaii legislature needs to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product in Hawaii without a tobacco tax and increasing prices is a proven strategy to discourage use of these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and cessation programs.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawaii have decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics to appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple.

This bill also requires a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawaii, work with the merchants to educate them, and enforce current tobacco laws.

HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education. Last fall, HCAN convened input in person and online from more than 50 organizations and individuals that came forward to support or express interest for a number of issues affecting children and families in our state that resulted in the compilation of 2017 Hawai'i Children's Policy Agenda, which can be accessed at <http://www.hawaii-can.org/2017policyagenda>.

For these reasons, HCAN respectfully [REDACTED]

January 30, 2017

**LATE**

TO: Chair, Rosalyn Baker  
Vice Chair, Clarence Nishihara  
Members of the Senate Committee on Commerce, Consumer Protection, & Health

RE: SB404: Relating to Chapter 245, Hawai'i Revised Statutes [REDACTED]

Date: Wednesday, February 1, 2017

Place: Conference Room 329

FROM: Stormy Dodge, Blane Garcia, Ku'ulei Salzer, and Stacy Suda, [REDACTED]

The University of Hawaii Student Health Advisory Council strongly supports the efforts of the State of Hawai'i Legislative session 2017, to pass SB404 to impose a tax on electronic smoking devices within the definition of "tobacco products" under chapter 245, Hawaii Revised Statutes. The Student Health Advisory Council has played a pivotal role in the development and implementation of health policies and tobacco education on the UH System campuses. In 2015, the Student Health Advisory Council actively supported the passing of Legislative Act 122, which prohibits the sale of all tobacco products to anyone under the age of 21. We remain deeply committed to the mission of improving the public health environment and reducing the use of tobacco products, including electronic smoking devices, among the adolescent and young adult population.

The adoption of SB404 would impose an excise tax on electronic smoking devices, disposable electronic smoking devices, reusable electronic smoking devices, and e-liquids sold by a wholesaler or dealer. These devices pose a serious public health concern with rates of electronic smoking device use increasing dramatically among adolescents and youth in Hawaii. Additionally, it is the only tobacco product that is not regulated or taxed. Therefore, SB404 would help to deter youth and young adults from purchasing and using these products by imposing taxes and licensing and permitting regulations on electronic smoking devices. The Student Health Advisory Council strongly urges the Legislature to pass SB404. *Mahalo nui loa*, for your efforts to create a healthier place for thousands of students, faculty and staff to learn and work.

Aloha on behalf of the Student Health Advisory Council,

Stormy Dodge, Blane Garcia, and Ku'ulei Salzer, Graduate Chairs  
Stacy Suda, Undergraduate Chair



**LATE**

**American Heart Association Testimony Supports SB 404,  
“Relating To Chapter 245, Hawaii Revised Statutes”**

The American Heart Association (AHA) supports SB 404 and strongly recommends that a portion of the tax on electronic smoking devices (ESDs) be allocated toward community education, prevention and control efforts related to use of those products.

The AHA considers ESDs to be tobacco products and supports their regulation under existing state and federal laws that apply to the use and marketing of such products. The association especially has grave concerns about the tobacco industry’s efforts to attract children and adolescents to ESDs and strongly advocates for laws and regulations that prohibit their sale and marketing to youth. We believe it is important to closely monitor ESDs and prevent them from serving as a gateway to smoking for non-smokers, or as a vehicle to lure smokers who have quit back to tobacco.

Youth use of ESDs in Hawaii has quadrupled over the last four years, largely due to unregulated marketing by ESD companies and retailers which make veiled claims that their products carry no health risks, and the addition of fruit and candy flavorings that appeal to youths. Enforcement of illegal sales to minors of these products is also made difficult by the lack of permitting or licensing on ESD wholesalers and retailers. ESD remain the only tobacco product sold in Hawaii that is taxed at only the GET rate, making them more affordable and attractive to Hawaii youths.

A study published by the University of Hawaii Cancer Center found that youths who use ESDs are much more likely to eventually graduate to smoking conventional cigarettes than those who don’t. Another study, conducted at the University of California, San Francisco, showed that nicotine use in adolescents can hinder brain development, which can lead to increased risk-taking, impulsiveness, novelty seeking, vulnerability to using and subsequent addiction to drugs.

The ESD industry is relentless in its pursuit of new users at an early age, and the recent U.S. Surgeon General’s report underscores how successful it has been in attracting this demographic. Like the tobacco giants that preceded them, ESD companies, many of which are by owned by Big Tobacco, are deploying despicable tactics of celebrity endorsements, cartoons and suggestive themes in ads to pitch their products. ESDs are further cloaked in new technology and flavors that appeal to today’s young people. We simply cannot let these marketing tactics renormalize tobacco use in our society today. The AHA feels it important for Hawaii legislators to regulate ESDs to prevent a reversal in the successes the state has achieved in reducing tobacco use among its youths. **We urge your support of SB 404 with an allocation of the ESD tax revenue dedicated to community tobacco education, prevention and control efforts.**

Respectfully submitted,

Paul Ho, M.D., cardiologist  
American Heart Association volunteer

*“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.*



baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov  
Sent: Wednesday, February 1, 2017 7:47 AM  
To: CPH Testimony  
Cc: tony@dajucehawaii.com  
Subject: Submitted testimony for SB404 on Feb 1, 2017 09:00AM

**SB404**

Submitted on: 2/1/2017

Testimony for CPH on Feb 1, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tolone Thairathom	Dajuce Hawaii LLC	Oppose	No

Comments: As a small business, operating the day to day requirements is already a challenge when business activities seems like a roller-coaster ride. Once again we face a bill that wants to impose taxation on vaping related products. We understand that the vaping industry is a growing one that already has a "black eye" and associated with smoking. Regardless of efforts and positive articles that are published near and abroad, vaping has already obtained a negative stigma. As a former smoker, vaping has helped myself and many to quit smoking cigarettes. In hopes to continue this entrepreneur adventure and striving to be successful, I strongly urge the committee to please reconsider the effects that this bill would have on small businesses in Hawaii.

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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## CPH Testimony

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**From:** mkyono@everyactioncustom.com on behalf of Mae Kyono  
<mkyono@everyactioncustom.com>  
**Sent:** Tuesday, January 31, 2017 10:22 PM  
**To:** CPH Testimony  
**Subject:** Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes  
**Categories:** Late

Dear Senate Committee on Commerce, Consumer Protection, and Health,

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Mae Kyono  
1319 Punahou St  
Honolulu, HI 96826-1001



**CPH Testimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, January 31, 2017 1:23 PM  
**To:** CPH Testimony  
**Cc:** junez1188@gmail.com  
**Subject:** \*Submitted testimony for SB404 on Feb 1, 2017 09:00AM\*

**LATE**

**Categories:** Late (Printed)

**SB404**

Submitted on: 1/31/2017

Testimony for CPH on Feb 1, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
[REDACTED]	Individual	Oppose	No

**Comments:**

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**CPH Testimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, January 31, 2017 2:56 PM  
**To:** CPH Testimony  
**Cc:** surfmaster008@gmail.com  
**Subject:** \*Submitted testimony for SB404 on Feb 1, 2017 09:00AM\*

**Categories:** Late

**SB404**

Submitted on: 1/31/2017

Testimony for CPH on Feb 1, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
[REDACTED]	Individual	Oppose	No

**Comments:**

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1/30/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Marilyn Gagen  
59 -398 Ka Nani Dr  
Kamuela, HI 96743-8500

1/26/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Barbara Nosaka  
2216 Hoonanea St  
Honolulu, HI 96822-2427

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Michelle Schiff  
1655 Kanapuu Dr  
Kailua, HI 96734-4183

1/30/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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Sincerely,  
Jennifer Hausler  
1429 Kuloko St  
Pearl City, HI 96782-1948

1/27/17

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Sincerely,  
May M. Okihiro  
46 -193 Yacht Club St  
Kaneohe, HI 96744-3641

1/27/17

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Sincerely,  
Joseph Keawe'aimoku Kaholokula  
581 Kamoku St Apt 904  
Honolulu, HI 96826-5203



1/27/17

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Sincerely,  
Shelly Ogata  
PO Box 2104  
Keaau, HI 96749-2104

1/27/17

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This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Kanani Kilbey  
2238 Mahalo St Unit B  
Honolulu, HI 96817-1606

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

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This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Kealii Makekau  
2563 Date St Apt 312  
Honolulu, HI 96826-5450

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Carin Ham  
1620 Keeaumoku St Apt 803  
Honolulu, HI 96822-4328

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Anne Scharnhorst  
24 Ohia Leo Pl  
Wailuku, HI 96793-2167

1/26/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Erin Bantum  
44 -754 Malulani St  
Kaneohe, HI 96744-2410

1/30/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
John Ishoda  
1700 Lanakila Ave Rm 104  
Honolulu, HI 96817-2115

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Paul Ho  
88 Piikoi St Apt 3903  
Honolulu, HI 96814-4284



1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Helen Christensen  
75 -6110 Kaanee Pl  
Kailua Kona, HI 96740-7957

1/31/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Christopher La Chica  
94 -1410 Lanikuhana Ave  
Mililani, HI 96789-2452

1/28/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Helen Barrow  
MAKAWAO  
Makawao, HI 96768

1/30/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Nancy Pheatt  
75 -5919 Alii Dr  
Kailua Kona, HI 96740-1380

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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The Honorable Clarence Nishihara, Vice Chair  
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I strongly support SB404 and ask you to pass this out of committee.

.

Sincerely,  
Shilpa Patel  
3139 Huelani Dr Apt A  
Honolulu, HI 96822-1291

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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Members of the Senate Committee on Commerce, Consumer Protection, and Health

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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Kathleen Corpuz  
815 N Vineyard Blvd  
Honolulu, HI 96817-3556

1/26/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection and Health

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The Honorable Clarence Nishihara, Vice Chair  
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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Jaylen Murakami  
801 South St Apt 2404  
Honolulu, HI 96813-5930

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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The Honorable Clarence Nishihara, Vice Chair  
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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Kau'i Baumhofer  
99 -1220 Halawa Heights Rd  
Aiea, HI 96701-3191



1/26/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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The Honorable Clarence Nishihara, Vice Chair  
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I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Alana Busekrus  
220 Ohana St  
Kailua, HI 96734-2352

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

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The Honorable Clarence Nishihara, Vice Chair  
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This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Ronald Kuriki  
1655 Palolo Ave Apt C  
Honolulu, HI 96816-2586

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

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This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Michelle Gray  
430 Lanipua St  
Honolulu, HI 96825-2302

1/31/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Davin Aoyagi  
316 Elelupe Rd Apt B  
Honolulu, HI 96821-2218

2/1/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Mae Kyono  
1319 Punahou St  
Honolulu, HI 96826-1001

1/30/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Valerie Yontz, PhD  
677 Auwina St  
Kailua, HI 96734-3430

1/30/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

As a pediatrician in Honolulu and medical director of the HEALTHY Tobacco & Nicotine Cessation Program, I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

Electronic smoking devices are clearly products meant to approximate the use of cigarettes and other tobacco products. Electronic smoking devices take a mixture of chemicals, including nicotine, and vaporize it at high temperatures. These devices emit nicotine byproducts and a variety of other chemicals, and they have not been fully studied in regards to safety. E-cigarette vapor has been shown to include carcinogens and toxins including nicotine, nitrosamines, diethylene glycol, formaldehyde, and acetaldehyde. The U.S. Food and Drug Administration has exhibited concern regarding the safety of electronic smoking devices as well.

Despite entering the market only a few years ago, electronic smoking devices (ESDs), or e-cigarettes are showing huge increases in use among middle and high school students. In Hawai'i, 1 in 5 adults and high school students and 1 in 10 middle school students smoke e-cigarettes, exceeding cigarette use.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

Contrary to popular belief, ESDs do not emit harmless water vapor. Vaping companies are using the same tobacco marketing tactics by advertising e-cigarettes as inexpensive and comparing them to smoking cigarettes. Popular local e-liquid flavors include Kona coffee, Maui mango, Pele's papaya, and pineapple punch.

Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

Thank you for your consideration and support of this important measure.

Sincerely,  
Bryan Mih, MD, MPH, FAAP  
Pediatrician  
1944 Naniu Pl  
Honolulu, HI 96822-1758



1/31/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I am submitting personal testimony on SB404 based on my research with adolescents in Hawaii, which are supported by contracts from the U.S. Substance Abuse and Mental Health Service Administration, the U.S. Food and Drug Administration, and the Hawaii State general funds I am an Assistant Research Professor at the University of Hawaii, Office of Public Health Studies. The comments presented here are my personal testimony and do not necessarily reflect the views of any of the funding organizations or the University of Hawaii.

SB404 would impose an excise tax on electronic smoking devices and require licensing of retailers.

I support this legislation because our research has shown that requiring licensing of retailers that sell tobacco products does prevent adolescents from acquiring tobacco and lowers the smoking prevalence. I manage the federally mandated Synar Program for the State of Hawaii, which requires states to have laws prohibiting the sale and distribution of tobacco products to minors. Under this program, we enforce the laws by having minors attempt to purchase cigarettes in all accessible retail stores across the entire State that have a tobacco permit to sell cigarettes.

When this program first started in Hawaii in 1996, 44.5% of minors were able to successfully purchase cigarettes. After one year of compliance inspections, this rate dropped to 23% and as of 2015 only 3.3% of minors are able to successfully purchase cigarettes in a licensed retail store. I strongly believe that these compliance inspections has contributed in part to our State's low cigarette smoking rate of 14.7%.

Unfortunately, the prevalence of adolescents in Hawaii currently using electronic cigarettes is 40.8%. As of now, we do not perform compliance inspections for electronic cigarettes due in part to not being able to identify which retailers are selling electronic cigarettes. If retailers are licensed and identified as selling electronic cigarettes, we can attempt to include electronic cigarette compliance inspections to the State's Synar program. These compliance inspections can have the same effect that they do with tobacco cigarettes and limit access of electronic cigarettes to minors, thereby working towards decreasing the high electronic cigarette prevalence among Hawaii's adolescents.

I support SB404 for these reasons.

Sincerely,  
Rebecca Schweitzer  
736 Hawaii St  
Honolulu, HI 96817-7327

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Cassandra Ford  
1993 S Kihei Rd Apt 302  
Kihei, HI 96753-7823

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

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ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i have decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Stephanie Burns  
1421 Humuula St  
Kailua, HI 96734-3709

1/31/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

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Thank you for hearing this bill and for your consideration of this important measure.

Sincerely,  
Cory Chun  
94 -1035 Kaamea St  
Waipahu, HI 96797-4837

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Respectfully Submitted,  
Patricia Fleck  
Kailua-Kona, HI

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Rhiana Lau, MD  
1314 S King St Ste 415  
Honolulu, HI 96814-1939

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

Aloha,

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

SB404 will also require electronic cigarette wholesalers and retailers to obtain a tobacco permit. This will allow the state to know who is selling e-cigarettes in Hawai'i, in order to work with e-cigarette merchants to provide education about, and to help enforce, current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Forrest Batz  
HC 3 Box 4730  
Keaau, HI 96749-8602

1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

As a RN in Hawai'i, I strongly support HB246, which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

Nicotine, regardless of additives or tobacco is dangerous and harmful to health. E-cigarettes may not have the smell of tobacco cigarettes, but that makes them even more dangerous. Youth and young adults are able to smoke more frequently without it being detected. This is a huge health concern. Adding a tax to e-cigarettes will help discourage purchase and frequency of use.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

As a healthcare professional, I strongly support HB246 and ask you to move this bill out of committee.

Sincerely,  
Eve Teeter-Balin  
1372 Saint Louis Dr  
Honolulu, HI 96816-1724



1/27/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids.

As an advocate and educator in the community, I see and hear from schools and teachers that e-cigarettes are a major problem in our schools. The number of middle school and high school students that are using e-cigarettes in Hawai'i is astounding. With e-cigarette retailers not being required to have a permit, we have no way of knowing who is selling these products and have no way of holding them accountable to adhere to the law of not selling their products to minors under 21.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
Stephanie Moir  
850 Richards St Ste 201  
Honolulu, HI 96813-4790

1/28/17

Strong Support of SB404, Relating to Chapter 245, Hawaii Revised Statutes

Senate Committee on Commerce, Consumer Protection, and Health

To: The Honorable Rosalyn Baker, Chair  
The Honorable Clarence Nishihara, Vice Chair  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Hrg: February 1, 2017 at 9:00am at Capitol Room 229

I strongly support SB404 which creates a tax on electronic smoking devices (ESDs) and requires wholesalers and retailers of ESDs to obtain a retail tobacco permit.

ESD or e-cigarette use among youth and young adults has become a national public health concern. E-cigarettes are now the most popularly used tobacco product among youth and young adults, surpassing cigarettes. While smoking rates in Hawai'i has decreased through the years, ESD use has rapidly increased, threatening the state's current tobacco prevention efforts. This is particularly concerning because e-cigarettes provide a new way to deliver the drug nicotine. No matter how it is delivered, nicotine exposure can lead to addiction and harm the developing brain. Studies are also finding that ESDs can lead to smoking cigarettes for new users, including kids. This is a cultural trend that will fade in the future, and we must act now to make sure it does not over stay its welcome.

The e-cigarette industry uses the same tobacco marketing tactics that appeal to youth such as glamorizing its use and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple. Now that the FDA has deemed ESDs as tobacco products, I urge the legislature to regulate and tax e-cigarettes the same way as other tobacco products. ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products. In addition, a portion of these revenues should be dedicated to tobacco prevention and quit programs.

This bill will also require a retail tobacco permit which will allow the state to know who is selling e-cigarettes in Hawai'i and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB404 and ask you to pass this out of committee.

Sincerely,  
James Gauer  
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