

STAND. COM. REP. NO. 593

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 182

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 182 entitled:

"A BILL FOR AN ACT RELATING TO COUNTY AUTHORITY ON THE SALE OF TOBACCO PRODUCTS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Specify that nothing in chapter 328J, Hawaii Revised Statutes, the state smoking law, shall be construed to supersede or affect a county's ability to adopt and enforce ordinances that regulate the sale or use of cigarettes, tobacco products, and electronic smoking devices; provided that the ordinances are no less protective of public health than the state smoking law; and
- (2) Repeal a provision in the state smoking law that preempts local smoking ordinances and regulations.

Your Committees received testimony in support of this measure from the Department of Health, County Council of the County of Maui, American Heart Association, American Lung Association, Hawai'i Primary Care Association, Lanai Community Health Center, Blue Zones Project, American Cancer Society Cancer Action Network, Hawaii Public Health Institute, O'ahu County Committee on



Legislative Priorities of the Democratic Party of Hawai'i, and six individuals. Your Committees received testimony in opposition to this measure from Black Lava Vape; VOLCANO Fine Electric Cigarettes; Hawaii Smokers Alliance; Hi Lyfe Vaporz, LLC; and twenty-four individuals.

Your Committees find that tobacco use causes over one thousand deaths in Hawaii every year, in addition to substantial costs in direct health care expenditures and lost productivity. Your Committees further find that although the State has enacted numerous tobacco control policies, different communities within the State have individual situations that require different, specific regulatory solutions. This measure will allow the State to set minimum standards of tobacco control while giving the counties the freedom and flexibility to establish further regulatory measures that are individually tailored to their specific needs.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 182 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety,  
Intergovernmental, and Military  
Affairs and Commerce, Consumer  
Protection, and Health,

  
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ROSALYN H. BAKER, Chair

  
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CLARENCE K. NISHIHARA, Chair





