



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

S.B. NO. 1405, S.D. 2, H.D. 1, RELATING TO ELECTRONIC SMOKING PRODUCTS.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Wednesday, April 3, 2019

TIME: 2:30 p.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): Clare E. Connors, Attorney General, or
Delanie D. Prescott-Tate, Deputy Attorney General

Chair Luke and Members of the Committee:

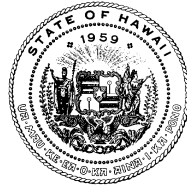
The Department of the Attorney General supports this bill and provides the following comments.

The bill seeks to address the health dangers caused by the rapidly growing use of electronic smoking devices in Hawaii, especially among the youth. This bill establishes the offense of unlawful shipment of e-liquid products to a person or entity that is not a licensee; increases licensing and permit fees for wholesalers, dealers, and retailers of cigarettes and tobacco products; funds tobacco and cancer prevention research programs; repeals part XII of chapter 28, Hawaii Revised Statutes (HRS), relating to the Electronic Smoking Device Retailer Registration Unit; and repeals section 245-27, HRS (Supp. 2018), relating to delivery sales.

This bill also seeks to include e-liquid, for the first time, within the definition of "tobacco products," which would place its regulation within the existing framework of the Department of Taxation. Retailers of e-liquid would now be required to obtain retail tobacco permits, and wholesalers and dealers of e-liquids would be required to obtain a license. This bill would allow the regulation of e-liquid products to be combined with the retail tobacco permitting process, a function already within the purview of the Department of Taxation, and would render the Electronic Smoking Device Retailer Registration Unit, recently created by 28-163, HRS (Supp. 2018), unnecessary.

The Department of the Attorney General supports the repeal of part XII of chapter 28, HRS (Supp. 2018), based upon this bill's goal of subjecting e-liquids to taxation and regulation under chapter 245, HRS. Including e-liquids within the same regulatory framework as other tobacco products would conserve resources and make the regulation of e-liquids a more efficient process for the public and retailers.

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



STATE OF HAWAII
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**Testimony in SUPPORT of S.B. 1405, SD2, HD1
RELATING TO ELECTRONIC SMOKING PRODUCTS**

REPRESENTATIVE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: April 3, 2019

Room Number: 308

1 **Fiscal Implications:** The Department of Health (DOH) defers to the Department of Taxation
2 (DOTAX) for fiscal implications of implementation and to the Department of the Attorney
3 General (AG) for fiscal implications for enforcement.

4 **Department Testimony:** The DOH supports Senate Bill 1405, Senate Draft 2, House Draft 1
5 (S.B. 1405, SD2, HD1) as a measure to protect the public's health, especially youth, from the
6 harmful effects of tobacco use and initiation. Youth who use e-cigarettes are three times more
7 likely to become regular cigarette users.^{1,2,3,4} The most recent study found that about 180,000
8 new smokers and 45,000 current smokers in the U.S. may have started smoking combustible
9 cigarettes after initiating e-cigarettes also called electronic smoking devices (ESDs). In Hawaii
10 and across the nation, despite tremendous progress in reducing smoking, tobacco use remains the
11 leading cause of preventable illness and death.⁵ Hawaii's youth tobacco prevention progress is
12 eroding, and the young regular ESD users now may become replacement smokers who face
13 daunting health and economic burdens from addiction to tobacco products.

¹ Watkins SL, Glantz SA. Association of Noncigarette Tobacco Products Use with Future Cigarette Smoking Among Youth in the Population Assessment of Tobacco and Health (PATH) Study, 2013-2015. *JAMA Pediatric*. Published online January 2, 2018.

² Barrington-Trimis, JL, Urman, R, Berhane, K, Unger, JB, Cruz, TB, Pentz, MA, Samet, JM, Leventhal, AM, McConnell, R. E-Cigarettes and Future Cigarette Use. *Pediatrics*.2016-0379.

³ Wills, TA, Knight, R, Williams, RJ, Pagano, I, Sargent JD. Risk Factors for Exclusive E-Cigarette Use and Dual E-Cigarette Use and Tobacco Use in Adolescents. *Pediatrics*. 2014-0760.

⁴ Berry, et al. Association of Electronic Cigarette Use with Subsequent Initiation of Tobacco Cigarettes in US Youths. *JAMA Open Netw Open*. 2019; 2(2):e187794.doi:10.1001/jamanetworkopen.2018.7794.

⁵ Centers for Disease Control and Prevention. *Best Practices for Comprehensive Tobacco Control Programs, 2014*. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014

1 Most ESDs purchased in the U.S. contain nicotine, which is highly toxic and addictive.⁶
2 The pod-based ESD (or “vape”) products popular on school campuses because of their compact
3 concealable size use nicotine salts. One 41.3 mg JUUL pod which fits into a thumb drive sized
4 device, contains almost the same amount of nicotine as 41 sticks of cigarettes. The 90 mg
5 Sourin pod for the slim tear-drop shaped device contains nicotine approximate to 90 sticks of
6 cigarettes. However, 63% of youth in a recent national study did not know that JUUL, the most
7 popular pod-based ESD always contains nicotine.⁷ Nicotine is harmful to the developing brain,
8 but no pharmacological therapy is federally approved for youth cessation. The U.S. Federal
9 Drug Administration (FDA) defines tobacco products as any product that is derived from
10 tobacco and meant for human consumption. The regulation of electronic smoking devices
11 (ESDs) under the FDA tobacco authority was determined by a 2010 court decision in 2010 in
12 *Sottera, Inc. vs FDA*. If the products are for therapeutic purposes, these are regulated by the
13 FDA’s Center for Drug Evaluation and Research (CDER).⁸ However, the federal authority and
14 activity have been too slow to meet the pace of online industry marketing and youth adoption of
15 ESDs.

16 Young people who have never smoked cigarettes are using ESDs at levels that rival the
17 28% high school smoking rates in 1999. In Hawaii 26% of public high school students reported
18 using ESDs, compared to 14% nationally, and Hawaii’s middle school rates of current ESD
19 users is 16%. Only 4.7% of adults in Hawaii report current use of ESDs.^{9,10} Youth ESD use
20 rates are also increasing across the U.S. From 2017 to 2018, there was a 78% surge in current

⁶ Marynak, et al. Sales of Nicotine-Containing Electronic Cigarette Products: United States, 2015. *Research and Practice*, AJPH, published online March 21, 2017.

⁷ Willett JG, Bennett M, Hair EC, et al. *Tob Control* 2018;0:1–2.doi:10.1136/tobaccocontrol-2018-054273.
doi:10.1136/tobaccocontrol-2018-054273

⁸ <https://www.fda.gov/TobaccoProducts/GuidanceComplianceRegulatoryInformation/Manufacturing/ucm335294.htm>.

⁹ Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Division of Population Health. BRFSS Prevalence & Trends Data [online]. 2015. [accessed Mar 08, 2019]. URL: <https://www.cdc.gov/brfss/brfssprevalence/>.

¹⁰ Hawaii State Department of Health 2017 Youth Risk Behavior Survey. Hawaii Health Data Warehouse

1 ESD use nationally among high school students and a 48% increase among middle school
2 students.¹¹

3 The Department respectfully requests the help of the State Legislature to support legislation to
4 protect children in Hawaii from the accessibility of ESDs. In 2017, 60% of high school students, and 64%
5 of middle school students said they purchased their vaping products from friends. Almost 10% said they
6 were able to purchase these through vape shops or stores that exclusively sold ESDs.¹² Hawaii is
7 among six states (including California, Oregon, New Jersey, Maine, and Washington) in the
8 country that prohibit the sales of tobacco products to any person under the age of twenty-one
9 years. Such legislation specifically addresses face-to-face transactions and is meant to prevent
10 youth access and initiation of tobacco use. However, the acceleration of online tobacco product
11 sales has created a dangerous loophole, undermining efforts to protect public health, by
12 providing an appealing option for underage smokers. In the current unregulated online market,
13 youth easily, and often, circumvent the age verification process for purchasing tobacco. The
14 Internet Tobacco Vendors Study (ITV), supported by the National Cancer Institute and the
15 United States Food and Drug Administration (USFDA) Center for Tobacco Products, has
16 monitored the online tobacco industry for over fifteen years, to assess sales practices and public
17 health impacts. In 2016, its study found that minors were successful in buying ESDs online 93%
18 of the time despite age restrictions. Another study found that ESDs were often shipped from
19 internet vendors without instructions or health warnings. Due to the easy access for minors
20 through online marketing, researchers recommend more vigorous policies to prohibit sales to
21 minors.^{13,14}

22 Unregulated online access provides a way for the purchaser and tobacco industry to avoid
23 federal and state taxes, resulting in loss of revenue and evasion of an important public health tool

¹¹Notes from the Field: Use of Electronic Cigarettes and Any Tobacco Product Among Middle and High School Students- United States, 2011-2018. [Morbidity and Mortality Weekly Report, Centers for Disease Control and Prevention. November 16, 2018/67\(45\):1276-1277](#) (n.d.), 2.

¹² Hawaii State Department of Health, Youth Tobacco Survey 2017.

¹³ Williams RS, Derrick J, Ribisl KM. Electronic Cigarette Sales to Minors via the Internet. *JAMA Pediatric*. 2015;169(3): e1563. doi:10.1001/jamapediatrics.2015.63.

¹⁴ Kong AY, Derrick JC, Abrantes AS, Williams RS. *What is included with your online e-cigarette order? An analysis of e-cigarette shipping, product and packaging features. Tobacco Control*. [Epub ahead of print] June 29, 2016. doi:10.1136/tobaccocontrol-2016-053061.

1 for prevention.¹⁵ Youth are price sensitive and online purchasing options are a less expensive
2 method for acquiring tobacco products including ESDs. Hawaii has seen ESD use by youth and
3 young adults increase at an alarming rate.¹⁶ ESDs are now the most commonly used tobacco
4 product among youth in the nation, and in Hawaii.^{17,18} The electronic cigarette industry is
5 growing rapidly, with a recent global market value of 22.6 billion dollars.^{19,20,21} The pricing,
6 marketing, and variety of youth-friendly flavors are contributing to the increased use of ESDs.²²

7 The Department supports the measure's proposed amendment that requires wholesalers
8 and retailers of e-liquids and ESDs containing e-liquid, to obtain the applicable license or permit.
9 Presently, vendors that sell only ESDs are only required to have a General Excise License
10 compared to establishments that sell cigarettes and other tobacco products. In adherence to Act
11 206, of 2018 session laws, requiring the AG to establish an Electronic Smoking Device Retailer
12 Registration Unit, 640 entities that sell ESDs have registered to date. Licensure and retail
13 permitting would bring e-liquid vendors in alignment with the traditional tobacco retailers and
14 would provide accurate data for compliance and surveillance.

15 The proposed increases in licensure and permitting fees have remained unchanged since
16 1995, despite high tobacco taxes and ever-increasing tobacco industry expenditures in marketing
17 and advertising. Tobacco licensing is an effective tool for limiting the negative public health
18 consequences of tobacco use by ensuring that wholesalers and retailers comply with responsible
19 sales practices. The proposed licensing would apply to those who sell e-liquids.

¹⁵ *The National Association for Convenience and Fuel Retailing*: <http://www.nacsonline.com/Advocacy/Issues//Tobacco/Pages/RemoteSalesofTobacco.aspx>

¹⁶ Hawaii State Department of Health, *2016-2020 Tobacco Use Prevention and Control in Hawaii, Five-Year Strategic Plan*, p.25.

¹⁷ U.S. Centers for Disease Control and Prevention (CDC), "Tobacco Use Among Middle and High School Students — United States, 2011- 2015," *Morbidity and Mortality Weekly Report (MMWR)* 65(14):361-367, April 14, 2016, <http://www.cdc.gov/mmwr/volumes/65/wr/pdfs/mm6514a1.pdf>

¹⁸ Hawaii State Department of Health, *Youth Risk Behavior Survey (2015)*

¹⁹ Herzog B, Gerber J. *E-Cigs revolutionizing the tobacco industry, 2013*. <http://www.smallcapfinancialwire.com/wp-content/uploads2013/11/E-Cigs-Rvolutionizing-the-Tobacco-Industry-Interactive-Model.pdf>

²⁰ Craver, R. (September 15, 2013). Analyst projection: *E-cigs will overtake traditional tobacco revenue at Reynolds in 2021*. *Winston-Salem Journal*. http://www.journalnow.com/business/business_news/local/analyst-projection-e-cigs-will-overtake-traditional-tobacco-revenue-at/article_948674ca-1ca9-11e3-a0ae-0019bb30f31a.html

²¹ Lora Jones, *Vaping - the rise in five charts*. BBC News. May 31, 2018.

²² *ibid*

1 The Department continues to support S.B. 1405, SD2, HD1 as a strong and
2 comprehensive measure that addresses the key regulatory components that can reduce access to
3 ESDs among Hawaii's youth and young adults and encourage users to quit.

4 Thank you for the opportunity to testify.

5 **Offered Amendments:** None



**STATE OF HAWAII
DEPARTMENT OF TAXATION**

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To: The Honorable Sylvia Luke, Chair
and Members of the House Committee on Finance

Date: Wednesday, April 3, 2019

Time: 2:30 P.M.

Place: Conference Room 308, State Capitol

From: Linda Chu Takayama, Director
Department of Taxation

Re: S.B. 1405, S.D. 2, H.D. 1, Relating to Electronic Smoking Products

The Department of Taxation (Department) supports S.B. 1405, S.D. 2, H.D. 1, and offers the following comments for the Committee's consideration. A summary of the key provisions of S.B. 1405, S.D. 2, H.D. 1 are as follows:

- Adds a new section making it a misdemeanor or felony to ship e-liquid products in the State unlawfully;
- Adds a new definition for the terms "e-liquid," "electronic smoking device" and "smoke" or "smoking";
- Amends the definition of "tobacco products" to include e-liquid;
- Raises the fee for a tobacco wholesaler or dealer license from \$2.50 annually to \$250 annually;
- Raises the fee for a tobacco retailer permit from \$20 per location annually to \$50 per location annually;
- Amends the allocation of revenue collected under the cigarette stamp tax to provide \$100,000 to Hawaii Tobacco Prevention and Control Trust Fund and \$100,000 to the University of Hawaii Cancer Center;
- Repeals Chapter 28, Part XII, Hawaii Revised Statutes (HRS), which created the Electronic Smoking Device Retailer Registration Unit in the Department of the Attorney General;
- Repeals Section 245-17, HRS, relating to delivery sales of electronic smoking devices;
- Has a severability clause stating that if any provision is held invalid it does not affect the other portions of the measure; and
- Has a defective effective date of March 15, 2030.

The Senate Committees that heard this measure previously made changes to this measure at the Department's request. The Department appreciates the consideration of its testimony and

notes that it can administer this bill as currently drafted, but requests a January 1, 2020 effective date to allow time for the Department to make updates to its forms, instructions, and computer system.

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

Council Chair
Kelly T. King

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Riki Hokama
Alice L. Lee
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Maria E. Zielinski

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

April 2, 2019

TO: Honorable Sylvia Luke, Chair
House Committee on Finance

FROM: Yuki Lei Sugimura
Councilmember

DATE: April 3, 2019

SUBJECT: **SUPPORT OF SB 1405 S.D.2, H.D.1 RELATING TO ELECTRONIC
SMOKING PRODUCTS**

Thank you for the opportunity to testify in SUPPORT this important measure. SB 1405 SD2 HD1 establishes the offense of unlawful shipment of e-liquid products; includes e-liquid and electronic smoking devices in regulatory and taxation requirements applicable to tobacco products; increases tobacco wholesaler or dealer license fees and retail permit fees; allocates portions of tobacco tax revenues to the Hawaii Tobacco Prevention and Control Trust Fund and supports tobacco and cancer prevention research.

E-cigarette use among youth is a major public health concern. E-cigarettes are now the most widely used tobacco product among young people, surpassing cigarettes. While smoking rates in Hawaii have been declining, e-cigarette use has been rapidly increasing.

Now that the FDA has deemed e-smoking devices as tobacco products, this measure appropriately seeks to regulate and tax e-liquids, which are not currently taxed, the same way as other tobacco products. In addition, a use of a portion of these revenues would help in curbing the use of e-cigarettes among our youth.

Council Chair
Kelly T. King

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
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Director of Council Services
Maria E. Zielinski

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April 2, 2019

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Tamara Paltin
Councilmember (West Maui District)

SUBJECT: HEARING OF APRIL 3, 2019; SUPPORTING SB 1405 SD2 HD1,
RELATING TO ELECTRONIC SMOKING PRODUCTS.

Dear Representative Luke and Committee Members:

Mahalo for the opportunity to offer testimony in SUPPORT of this measure. The purpose of this measure is to establish the offense of unlawful shipment of e-liquid products. Includes e-liquid and electronic smoking devices in regulatory and taxation requirements applicable to tobacco products. Increases tobacco wholesaler or dealer license fees and retail permit fees. Allocates portions of tobacco tax revenues to the Hawaii Tobacco Prevention and Control Trust Fund and to support tobacco and cancer prevention research.

The FDA now considers vaping as a national public health concern. The Surgeon General has reported that States and Counties can enact policies and practices to prevent access to our youth, significantly reducing the rapid growth of this public health concern. Therefore, I believe regulation of this new tobacco industry infiltration is necessary to secure the health and safety of our residents.

I believe this measure should be passed and I mahalo for your consideration.

Council Chair
Kelly T. King

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
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Councilmembers
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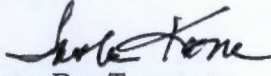


Director of Council Services
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April 2, 2019

TO: Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Tasha Kama 
Presiding Officer Pro Tempore

SUBJECT: **Hearing of April 3, 2019; Testimony in SUPPORT of SB 1405 SD2
HD1, Relating to Relating to Electronic Smoking Products**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The purpose of this measure is to address the promotion and sales of electronic smoking products.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **SUPPORT** this measure for the following reasons:

1. Electronic smoking products have been growing dramatically and have a similar impact on the health of consumers.
2. Electronic smoking products are essentially nicotine delivery systems, as are traditional combustible smoking products, as such they should be regulated as traditional smoking products.

Justin F. Kollar
Prosecuting Attorney



Rebecca Vogt Like
Second Deputy

Jennifer S. Winn
First Deputy

Diana Gausepohl-White
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

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**THE HONORABLE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE
The Thirtieth Legislature
Regular Session of 2019
State of Hawai'i**

April 3, 2019

RE: S.B. 1405 S.D. 2 H.D. 1; RELATING TO ELECTRONIC SMOKING PRODUCTS.

Chair Luke, Vice-Chair Cullen and members of the House Committee on Finance, the Office of the Prosecuting Attorney of the County of Kaua'i ("Office") strongly supports S.B.1405 S.D. 2 H.D. 1.

The purpose of S.B. 1405 S.D. 2 H.D. 1 is to reduce the use of electronic smoking products, particularly by our keiki, in the State of Hawai'i towards the goal of curbing the recent explosion in use of electronic smoking devices among the youth of Hawai'i.

Flavored tobacco products, primarily those marketed towards users of electronic smoking devices, clearly target children and teens. Flavors like "Fruit Hoops", "Sour Straws" and "Cookie Monsta" with their sweet odors and flavors pervade our middle and high schools. Although the FDA has recently taken some steps towards curbing these predatory practices, those steps are too hesitant and will not prevent irreversible damage from being done to the health of thousands of young people in Hawai'i. Although some proponents have indicated that electronic smoking devices reduce use of conventional cigarettes, they have also resulted in a tremendous and sudden increase in tobacco usage by young people. It must also be noted that electronic smoking devices are NOT FDA-approved tobacco cessation devices.

For all of the foregoing reasons, the Office of the Prosecuting Attorney of the County of Kaua'i strongly supports S.B. 1405 S.D. 2 H.D. 1. Thank you for the opportunity to testify on this matter.

An Equal Opportunity Employer

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: TOBACCO, Prohibits Shipment of Tobacco Products, Adds Electronic Smoking Devices, Hikes Rates and Fees

BILL NUMBER: SB 1405, HD-1

INTRODUCED BY: House Committee on Health

EXECUTIVE SUMMARY: Prohibits the shipment of tobacco products, and the transport of tobacco products ordered or purchased through a remote sale, to anyone other than a licensee. Makes all provisions of the cigarette tax and tobacco tax law that relate to tobacco products applicable to e-liquid. Increases the license fee for wholesalers or dealers and the retail tobacco permit fee. Amends the taxes on cigarettes and tobacco products. Increases the excise tax for each cigarette or little cigar sold, used, or possessed by a wholesaler or dealer. Increases the excise tax on the wholesale price of each article or item of tobacco products, other than large cigars, sold by the wholesaler or dealer. Our question is whether tax increases are an effective way to advance the social policy goals contained in this measure.

SYNOPSIS: Adds a new section to chapter 245, HRS, to establish the offense of unlawful shipment of e-liquid products. If a person is in the business of selling e-liquid products and ships to a person in Hawaii that is not a tobacco tax licensee, the person commits the offense. Exceptions are provided if the tobacco products are exempt from Hawaii tobacco tax, or Hawaii tobacco tax on the products is already fully paid. The offense is a class C felony if the products being shipped have a value (defined to be fair market value at the time of the offense) of \$10,000 or more, otherwise it is a misdemeanor.

Amends section 245-1, HRS, to include "e-liquid" within the definition of tobacco products taxable under the Tobacco Tax Law, and to define "e-liquid" as any liquid or like substance that may or may not contain nicotine and that is designed or intended to be used in an electronic smoking device, whether or not packaged in a cartridge or other container; except that E-liquid shall not include prescription drugs; medical cannabis or manufactured cannabis products; or medical devices used to inhale or ingest prescription drugs, including manufactured cannabis products sold or distributed in accordance with section 329D-10(a).

Defines "electronic smoking device" as any electronic product, or part thereof, that can be used by a person to simulate smoking in the delivery of nicotine or any other substance, intended for human consumption, through inhalation of vapor or aerosol from the product. Electronic smoking device includes but is not limited to an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen or related product, and any cartridge or other component part of the device or product.

Amends section 245-2, HRS, to raise the annual fee for a tobacco license from \$2.50 to \$250.00.

Amends section 245-2.5, HRS, to raise the annual fee for a retail tobacco permit from \$20 to \$50. Provides that the applicant for such a permit shall specify whether each place of business sells e-liquid, and that the permit shall state whether the place of business permitted sells e-liquid.

Amends section 245-15, HRS, to add an earmark of \$100,000 to go to the Hawaii tobacco prevention and control trust fund and \$100,000 to the University of Hawaii cancer center to support tobacco and cancer prevention research.

Repeals chapter 28, part XII, HRS, relating to the electronic smoking device retailer registration unit within the Department of the Attorney General.

Repeals section 245-17, HRS, relating to delivery sales.

EFFECTIVE DATE: March 15,2030.

STAFF COMMENTS: The question that should be asked is the purpose of the tobacco tax. If the goal is to make people stop smoking by making it cost-prohibitive to smoke, then (a) it's working, as hikes in the cigarette tax have begun to exert downward pressure on collections not only locally but also nationally, but (b) it shouldn't be expected to raise revenue, because of (a). If the goal is really to stop the behavior, why are we not banning it?

As the Foundation's previous President, Lowell Kalapa, wrote in the Tax Foundation of Hawaii's weekly commentary on October 28, 2012:

Lawmakers seem to have a simplistic reaction to solving problems the solution to which plagues their constituents – tax it.

Probably the best example is what people like to call sin taxes, those excise taxes that are levied on tobacco and alcohol products. After all, smoking causes cancer and alcohol causes all sorts of problems including driving under the influence. Lawmakers and community advocates shake their heads and push for higher tax rates, arguing that making these products more expensive will deter folks from using these products.

The problem is that lawmakers also like the revenues that are generated from the sales of these products and, in some cases, they have tried to link the use and sale of these products with noble causes such as the funding of the Cancer Research Center that is currently being built. Again, the argument is that smokers should pay for programs and projects which seek to cure the related ill which in this case is cancer caused by smoking.

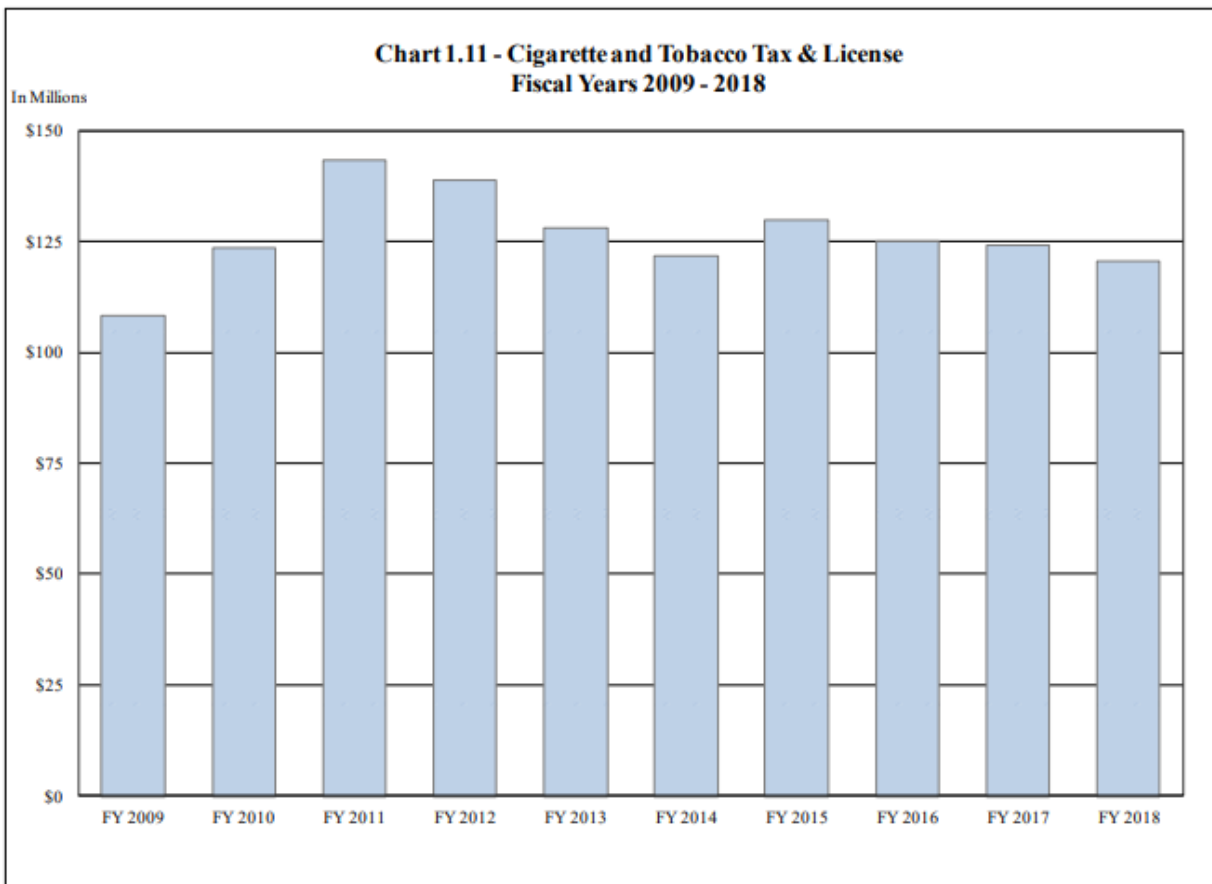
The irony is that arguments to increase the tax on tobacco and, more specifically, cigarettes, is a goal of getting smokers to quit while depending on the revenues from tobacco and cigarette taxes to fund an ongoing program, in this case the Cancer Research Center. So, which is it folks, stop smokers from smoking and if successful, there won't be any revenues to fund the Cancer Research Center?

The fact of the matter is that it appears that both locally and nationally, higher taxes on cigarettes is having an effect on smokers as, for the first time, tax collections on the sale

of cigarettes have fallen below the previous year's tax collections. Certainly some of the decline is due to smokers actually quitting, but to some degree one has to suspect that some purchases were made via mail order from exempt Indian reservation outlets while others may be what is called gray market purchases, that is from sources outside the country.

What should come as a surprise is that most of the folks who have quit are of some means as they are more likely to recognize the health hazard caused by use of this product. That means most of those who are still smoking are among the lower-income members of our community. Thus, the tax is regressive, generating less and less collections from middle and higher-income individuals.

As predicted, programs that have been fed by earmarks from the tobacco tax, like the Cancer Research Center, have become a victim of the success of tobacco cessation programs and publicity. Revenues produced by the tobacco tax have been in steady decline over the past few years despite tax rate increases, and hoisting the smoking age to 21 in the 2015 session certainly didn't reverse the trend.



Source: Department of Taxation Annual Report (2017-2018), page 22.

Re: SB 1405, HD-1
Page 4

Do we really need an elaborate study to tell ourselves that fiscal reliance on funds from a sin tax is inadvisable or outright dangerous? If the goal is to affect social behavior, use of the tax law is not the most effective way to do so.

Digested 4/2/2019



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Corey Rosenlee
President
Osa Tui Jr.
Vice President
Logan Okita
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON FINANCE

RE: SB 1405, SD2, HD2 - RELATING TO ELECTRONIC SMOKING PRODUCTS

WEDNESDAY, APRIL 3, 2019

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

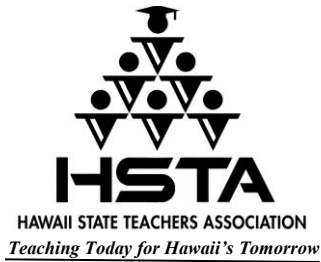
Chair Luke, and Members of the Committees:

The Hawaii State Teachers Association **strongly supports SB 1405, SD2, HD2** which provides a multi-faceted approach to deter the usage of electronic smoking products. This bill establishes the offense of unlawful shipment of e-liquid products, includes e-liquid and e-smoking devices containing e-liquid within the definition of “tobacco products” in the cigarette tax and tobacco tax law, increases the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products, increases the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products, and allocates a portion of funds collected from excise taxes on tobacco products to programs that educate youth about the risks and dangers of the use of e-smoking products.

The use of e-smoking products among youth is at epidemic levels. According to data from the Centers for Disease Control and Prevention and the Food and Drug Administration’s National Youth Tobacco Survey, **the percentage of high school-age children reporting past 30-day use of e-cigarettes rose by more than 75 percent between 2017 and 2018.** Use among middle school-age children also increased nearly 50 percent. Furthermore, 1 in 5 high school students reported using e-cigarettes in the past month according to the Surgeon General.

Locally, Hawaii’s 2017 Youth Risk Behavior Survey revealed that over 42% of Hawaii high school students have tried using electronic smoking devices and over 25% of Hawaii high school students indicated that they are regular users.

Adolescence in a time of crucial brain development; it has been documented that nicotine exposure during adolescence and young adulthood can cause addiction and



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Corey Rosenlee
President

Osa Tui Jr.
Vice President

Logan Okita
Secretary-Treasurer

Wilbert Holck
Executive Director

harm the developing brain. Additionally, nicotine is not the only harmful ingredient in electronic smoking devices; other harmful and potentially harmful ingredients include ultrafine particles that can be inhaled deep into the lungs, flavorings such as diacetyl, a chemical linked to serious lung disease, volatile organic compounds, and heavy metals such as nickel, tin, and lead.

Finally, another hazard of electronic smoking devices lies in the fact that teens and young adults who use these products have been found to be more likely to try regular tobacco products within a year.

The electronic cigarette industry has gone largely unregulated and has therefore been able to aggressively market these products with minimal constraints. It is time to proactively deter e-cigarette usage among our youth; this is why the Hawaii State Teachers Association is asking your committees to **support** SB 1405 SD2, HD2.

Wednesday, April 3, 2019 at 2:30 PM
Conference Room 308

House Committee on Finance

To: Representative Sylvia Luke, Chair
Representative Ty Cullen, Vice Chair

From: Michael Robinson
Vice President, Government Relations & Community Affairs

**Re: Testimony in Support of SB 1405, SD2, HD1
Relating to Electronic Smoking Products**

My name is Michael Robinson, Vice President, Government Relations & Community Affairs at Hawai'i Pacific Health. Hawai'i Pacific Health is a not-for-profit health care system comprised of its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox and over 70 locations statewide with a mission of creating a healthier Hawai'i.

I write in support of HB 1405, SD2, HD1 which establishes the offense of unlawful shipment of e-liquid products; includes e-liquid within the definition of "tobacco products" in the cigarette tax and tobacco tax law; increases the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products; and allocates a portion of funds collected in excise taxes on tobacco products to health education and prevention programs about the risks and dangers of the use of electronic smoking devices for the youth.

E-cigarette use or vaping 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 significant public health gains through our Tobacco 21 law and tobacco youth access laws. This is particularly concerning because e-cigarettes provide a new way to deliver the addictive 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.

Without regulation, e-cigarette manufacturers will continue to aggressively market their products by using young adults and celebrities as endorsers, glamorizing its use, promoting deep discounts, 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, this measure timely and appropriately seeks to regulate and tax e-liquids, which are not currently taxed, the same way as other tobacco products. In addition, a use of a portion of these revenues would help in curbing the prevalence of e-cigarette use especially among our youths.

Thank you for the opportunity to testify.



**Testimony to the House Committee on Finance
Wednesday, April 3, 2019; 2:30 p.m.
State Capitol, Conference Room 308**

RE: SUPPORTING SENATE BILL NO. 1405, HOUSE DRAFT 1, RELATING TO ELECTRONIC SMOKING PRODUCTS.

Chair Luke, Vice Chair Cullen, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** Senate Bill No. 1405, House Draft 1, RELATING TO ELECTRONIC SMOKING PRODUCTS.

The bill, as received by your Committee, would:

- (1) Apply the excise tax on tobacco products on e-liquid;
- (2) Require retailers of e-liquid to obtain a retail tobacco permit to sell, possess, keep, acquire, distribute, or transport e-liquid, and specify whether each place of business sells e-liquid.;
- (3) Prohibit the unlicensed wholesale and retail sale of e-liquid;
- (4) increase the license fee for the wholesale and retail sale of cigarettes and tobacco products;
- (5) Increase the fee for the retail tobacco permit;
- (6) On July 1, 2019, and thereafter, deposit \$100,000 in tobacco tax revenue to the Hawaii Tobacco Prevention and Control Trust Fund, and \$100,000 to the University of Hawaii Cancer Center to support tobacco and cancer prevention research;
- (7) Provide for severability if any provision is invalidated; and

Testimony on Senate Bill No. 1405, House Draft 1
Wednesday, April 3, 2019; 2:30 p.m.
Page 2

(8) Take effect on March 15, 2030.

Federally Qualified Health Centers (FQHCs) provide desperately needed medical services at the frontlines in rural communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of health.

FQHCs have long seen first-hand how tobacco has literally destroyed the lives of our patients and their families. Because of the ubiquity of cigarettes, chewing tobacco, and now electronic smoking devices, the impacts of tobacco affect our citizenry on a generational basis with people experimenting at even earlier ages.

It is for this reason that the HPCA joins the Hawaii Public Health Institute and other advocates in strong support of all efforts to rid the marketplace of these products.

In advance, thank you for your consideration of our testimony.

April 3, 2019

RE: SUPPORT SB1405 SD2 HD1 Relating to Electronic Smoking Products

Chair Luke, Vice-Chair Cullen, and Members of the House Finance Committee:

At Blue Zones Projects we are working to make Hawaii a happier, healthier place to live, work, and play. We support SB1405 SD2 HD1, which will help to regulate sales of electronic smoking devices. In Hawaii alone, smoking causes 1400 adult deaths per year and costs \$256 million. Limiting the use of tobacco would result in an extremely effective way to prevent a variety of chronic diseases while lessening the financial burden of these diseases.

An industry, which is not regulated, cannot be held accountable. This measure would mandate e-cigarette retailers need to possess the appropriate retail tobacco permit to sell e-cigarettes and liquids, which would result in better oversight of this quickly growing industry. It is impossible to know if a retailer is selling to under 21 if there is no way to track the retailers.

The industry has been left to grow without paying the taxes it should be paying on its products. It is important to bring electronic smoking devices, and their parts, under the same tobacco taxes as other nicotine products. This alignment creates a clearer message to consumers. Furthermore, this measure will increase the cost for a tobacco license from \$2.50 annually to \$250 annually, and the cost of a retail permit will go from \$20 annually to \$50 annually. Even small businesses can pay these minimal raises in fees to be allowed to continue to profit from the sale of tobacco products.

Although Hawaii has one of the strictest laws in the nation prohibiting the sale of tobacco to individuals under the age of 21, our children are easily able to purchase cigarettes and other tobacco products via the Internet. This legislation will address this loophole by only allowing the online purchase and shipment of tobacco products to licensed retailers, where consumers can purchase. We are learning that many children access vape products online, using their parent's resources and information to order them. This loophole needs to be closed.

Nationally, there was a 78% increase from 2017-2018 in current e-cigarette use among high school students and 48% increase among middle school students. Bringing the total number of middle and high school students currently using to 3.6 million, 1.5 million more than the previous year. Hawaii youth are part of this trend. There continues to be a steep rise in the use of electronic smoking devices, and the unregulated industry allows for a simple and easy way for children to purchase these relatively inexpensive, undertaxed products.

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Overall, there are a variety of issue this legislation will address. It is time to better regulate an industry, to collect the appropriate taxes, raise the cost of licensing and permitting fees, and close the online loophole that allows for easy underage purchasing.

We are grateful to the Committee for hearing SB1405 SD2 HD1 and hope that you will consider passing this important bill.

Sincerely,

Peggy Mierzwa

Peggy Mierzwa

Blue Zones Project—Hawaii

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April 2, 2019

To: Chair Luke
Vice Chair Cullen
House Committee on Finance

Re: **Support for SB1405 SD2 HD1**

Aloha Chair Luke, Vice Chair Cullen, and the House Committee on Finance:

Thank you for your dedication to our community and for this opportunity to provide testimony in strong **support** of **SB1405 SD2 HD1**.

Kaho'omiki, the Hawai'i Council on Physical Activity and Nutrition, supports and encourages lifelong healthy lifestyles and closely works with organizations across the state to better the lives of youth. It is clear that ESD use is on the rise and overwhelming data from local and national sources, including the Centers for Disease Control and Prevention (CDC), cite numerous safety and public health concerns with its use. This bill implements important fees and allocates taxes that can make a significant impact in Hawai'i.

We must address this critical public health epidemic for the benefit of our most vulnerable populations.

Thank you for this opportunity to testify in support of **SB1405 SD2 HD1**.

Sincerely,



Colby Takeda
President, Kaho'omiki

BRIDGE CLUB HAWAII

April 2, 2019

RE: **SUPPORT for SB1405 SD2 HD1**

Aloha Chair Luke, Vice Chair Cullen, members of the House Committee on Finance

Thank you for your dedication to the health and livelihood of Hawai'i's keiki, and for this opportunity to testify in **SUPPORT of SB1405 SD2 HD1** related to the regulation of electronic smoking devices. Bridge Club Hawaii is a youth community organization with ties to over 10,000 youth in Hawai'i and across the globe. Our mission is to empower youth to become global leaders ready to tackle the problems of tomorrow and make the world a better place.

We are especially concerned about the health of our communities and our members and urge you to support this bill. Just like other scientifically proven threats to society, electronic smoking devices (ESDs) and e-liquids must be regulated as tobacco products through taxation, online shipment restrictions, and licensing and permitting. Currently, ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. It has been proven that taxation and increasing the price of tobacco products is a proven strategy that discourages use of these products, especially among youth.

Hawai'i is in the midst of a youth vaping epidemic, and more must be done to reverse the upward trend for the purchase and use of ESDs by young adults. We strongly support **SB1405 SD2 HD1** and ask you to do the same. Thank you for this opportunity to testify.

Sincerely,



Garrett Cho
President
Bridge Club Hawaii

April 2, 2019

Relating to SB1405 SD2

The Coalition for a Drug-Free Hawaii Supports SB1405 SD2

I am the Executive Director of the Coalition for a Drug-Free Hawaii. I strongly support SB1405 SD2 to tax and regulate e-cigarette and electronic smoking products.

Regulating e-cigarettes is necessary to protect public health and prevent youth initiation and nicotine addiction. Too many kids are vaping, they have easy access to this unregulated product, and they soon become addicted to nicotine products.

The trend of youth use of vaping/e-cigarette products is very troubling. Twenty years ago, the state of Hawaii settled with the tobacco industry for their predatory behavior. Let's do what we can to prevent our youth from another addictive substance.

We have an opportunity to make a positive difference on this serious and costly public health concern.

Please pass SB1405 SD2.

With aloha,



Greg Tjapkes
Executive Director
Coalition for a Drug-Free Hawaii

SB-1405-HD-1

Submitted on: 4/2/2019 5:35:56 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maile Ketelsen	Kapiolani Smokefree Families	Support	No

Comments:

Kapi'olani Smokefree Families, the tobacco & nicotine cessation program at Kapi'olani Medical Center for Women & Children, **strongly supports HB 276** to regulate the shipment of e-liquid products, tax e-liquid and electronic smoking devices, increase the license and retail fees for tobacco products, fund health education and prevention programs, and repeal various statutory provisions relating to electronic smoking devices.

Thank you for the opportunity to provide testimony on this measure.



American Heart Association testimony in SUPPORT of SB 1405, SD2, HD1 Relating to Electronic Smoking Products

Chairman of the Board

Mark Yamakawa

President

Kahealani Rivera, MD

Board Members

Rick Bruno, MD, FACEP

Brandt Farias

Mimi Harris

David Honma

Glen Kaneshige

Brandon Kurisu

Howard Lee

Michael Lui, MD

Kazuma Nakagawa, MD,

FAAN, FAHA

Barbara Petrus

Andrew Rosen

Dave Underriner

Elisa Yadao

The American Heart Association supports SB 1405, SD2, HD1 which makes unlawful shipment of E-liquid products to anyone other than a licensee or permittee, includes e-liquid within the definition of “tobacco products” within existing cigarette tax and tobacco tax state law, increases the license fee for wholesalers or dealers and the retail tobacco permit fee, and allocates a portion of the tobacco tax revenue into the State Tobacco Prevention and Control Trust Fund.

While Federal law already prohibits the delivery and shipment of cigarettes, adding a state restriction on the direct delivery and shipment of electronic smoking devices to consumers would help to close the online sales loophole of those products and help to protect Hawaii’s youth from unscrupulous marketers of those products.

Internet sales of tobacco products and e-cigarettes are a significant public health concern because they evade state taxes and significantly undermine tobacco control efforts. In Hawaii, it is currently illegal to sell tobacco products, including e-cigarettes, to those under the age of 21. Hawaii’s age to 21 law plays a critical role in preventing youth initiation and addiction to tobacco products, yet internet sellers can circumvent this restriction by providing easy access to these products.

Concerns and veiled threats of encouraging a black market for e-cigarettes sales by establishing a tax or regulations limiting their sales is based on anecdotal evidence and unsupported by Hawaii’s prior experience in increasing tobacco taxes. Since 2006, when Hawaii last passed legislation raising its cigarette tax to the fifth highest of all states, no substantial black market has resulted. Unlike the 48 contiguous states, Hawaii should not have the same concerns for cross border sales. The costs alone of shipping products to Hawaii would help to mitigate black market sales, and the threat of product loss through forfeiture of product captured in port and airport inspections by state officials would also prove a deterrent. Like any banned substance or activity (i.e. gambling), there will always be those who are willing to risk the legal ramifications of being caught, but the social and health economic benefits to Hawaii in regulating and taxing electronic smoking devices will far outway any additional enforcement activities needed to limit black market sales.

E-cigarettes are now the most popularly used tobacco product among Hawaii’s youth. According to recent Department of Health data, approximately 42 percent of Hawaii’s youths have tried e-cigarettes, and 25 percent are now regular users. On neighbor island, regular use of e-cigarettes by youths tops 30 percent. This is concerning because e-cigarettes often contain nicotine and serve as a gateway to traditional cigarette use. Recent studies also indicate that e-cigarettes produce the same cardiovascular and respiratory risks as traditional cigarettes. A study presented at the American Stroke Association’s International Stroke Conference held last month at the Hawaii Convention Center finds that using e-cigarettes may increase the odds of having a stroke, heart

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attack and coronary heart disease. The researchers found compared with non-users, e-cigarette users had:

- 71 percent higher risk of stroke;
- 59 percent higher risk of heart attack or angina;
- 40 percent higher risk of coronary heart disease; and
- Double the rate of cigarette smoking.

By adding e-liquid within the definition of the state's "tobacco products" it would apply the tobacco tax to those products. This would have the greatest impact on reducing e-cigarette use rates among the youth market, which is more price sensitive, and which is the most highly targeted by tobacco industry marketing and advertising.

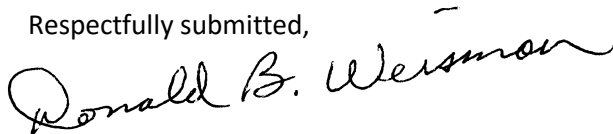
In Hawaii, tobacco use claims 1,400 lives each year and creates \$526 million in annual health care costs (\$141.7 million of that is covered by the state Medicaid program). Hawaii residents' state & federal tax burden from tobacco-caused government expenditures is \$836 per household. Hawaii's estimated tobacco tax and license revenue, estimated to be almost \$138.8 million does not come close to offsetting the losses to the state caused by tobacco use. Tobacco use declines related to state taxes directly reduce these smoking-caused economic burdens for all taxpayers, and Hawaii businesses which bear the brunt of employee healthcare costs in our state.

The tobacco industry spends an estimated \$25.5 million each year marketing its products in Hawaii. Hawaii's \$5.3 million investment in tobacco prevention, control and cessation programs pale in comparison, and fall well short of the Centers for Disease Control's (CDC) best practice recommendation of a \$13.7 million annual investment. Allocating revenue generated from taxing tobacco products to community prevention, education and cessation programs would help to increase the desired impact of this legislation by further reducing the use of electronic smoking devices by our youth and most health vulnerable populations.

The American Heart Association urges you to correct the loophole in our state's age restriction, taxation, and public health laws. It is imperative to continue to curtail tobacco use in any form, especially among our youth, if we are to control our state's healthcare costs and keep its Pre-Paid Healthcare law sustainable.

Please support SB 1405, SD2, HD1.

Respectfully submitted,



Donald B. Weisman
Hawaii Government Relations/Communications Director

To Whom it May Concern,

My name is Emma Whitney, and I am the owner of Emma Whitney Photography. I live in Kula and I am writing you regarding a very important issue, for our community and out keiki.

I am writing regarding the upcoming hearing for the measure SB1405. I am testifying in STRONG, and UNYIELDING SUPPORT of SB1405.

For me, it is inconceivable that this is even a question on the table, for the facts regarding the harm of tobacco are undeniable. The use of candy flavors to directly target children, are reprehensible and as undeniable. When I was coming of age, in the 80's and 90's, tobacco manufacturers used menthol tobacco to do this, and it worked. This is the cigarette that my friends chose, because it tased minty.

The tobacco industry is depending on our lifelong addiction, for their monetary security, so it is no surprise that they are scared, for when the true nature of the addiction and health impacts, came to light, the number of smokers hit record lows. To now use flavors that mirror sugar children's candies, to gain new smokers, reaches a whole new level of low! This tragic and disgusting and it is only hurting our children and our community.

It should alarm you, that 42% of all High School students, and 27% of Middle School students have tried these products. Of course, they have! Candy flavored anything, is appealing. All of these children are at an enormous risk for long term, severely detrimental, and terminal health issues.

These products do not help people quit, as they are touted. Instead, children are picking them up and getting hooked. By choosing to sell these products, we are contributing to the inevitable long term harm of these children.

Please, protect our children. No one needs candy flavored tobacco.

Mahalo for doing right by our community.

Aloha,
Emma Whitney



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
April 3, 2019**

Re: SB 1405 SD2 HD1 Relating to Electronic Smoking Products

Good afternoon Chairperson Luke and members of the House Committee on Finance. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) as founded in 1901 and is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

We STRONGLY OPPOSE SB 1405 SD2 HD1 Relating to Electronic Smoking Products. This measure establishes the offense of unlawful shipment of e-liquid products. Includes e-liquid and electronic smoking devices in regulatory and taxation requirements applicable to tobacco products; increases tobacco wholesaler or dealer license fees and retail permit fees; allocates portions of tobacco tax revenues to the Hawaii Tobacco Prevention and Control Trust Fund and to support tobacco and cancer prevention research and repeals statutory provisions made obsolete.

Retail has changed over the years in how products are purchased. We are seeing a surge in online sales for all types of merchandise. It almost impossible for anyone under the age of 21 to purchase vape products locally online or at a brick and mortar store. The online verifications vetting process is intense to ensure those purchasing are 21 or older and retailers do check IDs. We are seeing that the vape products are being purchased by those who are legitimately 21 and older like parents, friends and siblings and then they gift the product to those under 21. Once the product leaves the store, we have no control over who it is given to. We are also aware that organized crime sells products on the black market - where people are reselling stolen items and not caring what the age the person it purchasing it.

It is not fair to categorize vapor products and e-liquids as a tobacco product. They are not the same. Vape products contains NO tobacco and NO smoke is emitted when vaporized. The New England Journal of Medicine published an article recently found that vape products were nearly twice as effective as conventional nicotine replacement products, like patches and gum, for quitting smoking. The study was conducted in Britain and funded by the National Institute for Health Research and Cancer Research UK.

Many retailers statewide are already operating on a thin margin and face stiff competition. Raising the tobacco tax and permit fee will truly hurt locally owned businesses, especially the small locally owned businesses' and may potentially force some of them to close. This would mean the convenient corner store would be gone and leaving people out of work.

We urge you to hold this measure. Mahalo for this opportunity to testify.

SB-1405-HD-1

Submitted on: 4/2/2019 4:11:06 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mariner Revell	Irie Hawaii Stores	Oppose	No

Comments:

I strongly oppose this bill. It is hard enough being a small business in Hawaii dealing with Big box stores, amazon, and other online sellers. As an employer, we pay some of the highest fees in the nation for taxes, workers comp insurance, disability insurance, unemployment insurance, liability insurance, employee benefits, health insurance, license fees, and more. According to CNBC Hawaii is ranked 47 out of 50 states for the worst place to do business due to the states regulations, taxes, fees etc. It is very tough to do business in Hawaii.

Doing business in Hawaii is very hard due to big box store and online competition, and all of the states regulations, fees, and taxes. Please do not make it harder on us small businesses with the addition of more regulation and more taxes. I strongly oppose this bill. Mahalo for your time.

SB-1405-HD-1

Submitted on: 4/2/2019 7:46:48 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Zehner	Hawaii Smokers Alliance	Oppose	No

Comments:

We stand on our previous testimony in strong opposition.



April 2, 2019

To: The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice Chair
Members, House Committee on Finance

From: Cory Smith, VOLCANO Fine Electronic Cigarettes®
CEO and Owner

RE: SB 1405 SD2 HD1 – oppose.

Thank you for the opportunity to submit testimony.

VOLCANO Fine Electronic Cigarettes® is the largest independent retailer & wholesaler of vapor products and vaping accessories in the State of Hawaii. We currently own and operate 16 locations statewide and employ over 110 full-time workers to support sales of our products not only here in Hawaii, but to all 50 states as well as over 30 International countries. We stand in opposition to SB 1405 SD2 HD1 for the following:

- Vapor products and e-liquids contain NO tobacco, often times contain NO nicotine, and ultimately emit NO smoke when vaporized; yet **SB 1405 SD2 HD1 deceptively refers to vapor products as “Electronic Smoking Devices”** to mislead the public and creates a false perception of the nature of these products. This misclassification establishes the idea that vapor products are the same as tobacco products and thus, should be viewed, controlled, and perceived the same way as traditional tobacco products. This is a complete disregard of the fact that vapor products are fundamentally different from tobacco products in every way.
- **SB 1405 SD2 HD1 states in its justification that the bill and its regulations are needed to curb youth usage.** It states “The Surgeon General’s report noted that e-cigarette use has increased considerably in recent years, growing an astounding nine hundred percent among high school students from 2011 to 2015”. **However, it fails to mention the latest available CDC report that shows youth use of all tobacco products, including e-cigarettes are at the lowest levels ever. Furthermore, a study done the following year at the University of Michigan found that the majority of youth who have reported using e-cigarettes are not using e-liquids that contain nicotine** - further suggesting that youth who do use e-cigarettes are doing so to replace the use of traditional tobacco.
 - <https://www.cdc.gov/media/releases/2017/p0615-youth-tobacco.html>
 - <https://www.psc.isr.umich.edu/events/archive/feature-detail/1833>
- The most Recent CDC report has shown e-cigarettes have supplanted all other traditional nicotine replacement therapies and are now the most commonly used product by consumers to quit using traditional tobacco cigarettes
 - http://www.journalnow.com/business/business_news/local/cdc-report-shows-more-smokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html



- A recent study published by the New England Journal of Medicine concluded that E-Cigarettes are twice as effective for smoking cessation than traditional nicotine replacement therapy products which are not taxed or controlled the same way this bill proposes to tax and control E-Cigarettes. The state should be creating easier access for these products, not tighter regulations that steers vapers back towards tobacco cigarettes
 - <https://www.nejm.org/doi/full/10.1056/NEJMoa1808779>
- A recent study by the National Academy of Sciences, Engineering, and Medicine stated: "there is conclusive evidence that completely substituting e-cigarettes for combustible tobacco cigarettes reduces users' exposure to numerous toxicants and carcinogens present in combustible tobacco cigarettes." The findings add to the already weighty body of evidence showing vaping to be far less hazardous than smoking.
 - <http://www.washingtonexaminer.com/landmark-e-cigarette-report-explodes-myth-that-vaping-is-as-toxic-as-smoking/article/2646804>
 - http://nationalacademies.org/hmd/reports/2018/public-health-consequences-of-e-cigarettes.aspx?utm_source=Hootsuite&utm_medium=Dashboard&utm_campaign=SentviaHootsuite
 -
- SB 1405 SD2 HD1 States in its justification that the use of licensing and permit fees will help "protect consumers, such as requiring retailers of e-liquids to obtain a retail tobacco permit". **We fail to see how requiring retailers to obtain a permit will translate to 'protecting the public'**. Rather, it will simply burden the 50+ small businesses operating in the vapor products industry with unnecessary fees and bureaucratic hurdles.
- SB 1405 SD2 HD1 would amount to a 9900% increase in licensing fees. This is a highly unreasonable increase that will result in a significant financial burden for all retailers included in the bills definition.
- Vapor Products are not the same as tobacco products, and thus, should not be regulated in the same fashion. Vapor products have not been demonstrated to have the same detrimental effects of combustible tobacco products and have otherwise been shown in recent studies to be as much as 95% less toxic than traditional Cigarettes. **Creating extraneous regulations that aim to limit access only serves to protect deadly tobacco markets.**
 - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457102/Ecigarettes_an_evidence_update_A_report_commissioned_by_Public_Health_England_FINAL.pdf
- SB 1405 SD2 HD1's justification states that without taxing vapor products, "smokers may be tempted to purchase less expensive products such as e-liquid". This is false. Virtually all e-cigarette starter kits and bottles of e-liquid are already higher priced in comparison to tobacco cigarettes. An average reusable electronic cigarette starter kit ranges in price from \$30 to upwards of \$300 depending on the device. Furthermore, a 15ml bottle of e-liquid (the smallest bottle size currently offered) is currently retailed at \$12.99 at all of our locations, which is nearly 33% more costly than a standard pack of cigarettes, yet it provides



nearly the same amount of puffs.

- **Most troubling is the fact that by subjecting vapor products to this proposed tax, the additional costs to consumers will likely result in the state seeing less tax revenue, and even worse, former smokers returning to tobacco use. The tax will result in current vapor users purchasing from online vendors who would not be subject to state taxes. Local manufacturers, wholesalers and retailers would be put at a massive competitive disadvantage and most retail customers would send their money out-of-state effectively lowering the tax revenue already being generated by sales of vapor products here in the state.** We would be unable to compete in other out-of-state and international markets with competitors who are not subjected to the same tax, which would put our local operations in severe jeopardy meaning an immediate loss of jobs and existing revenues. This bill would also effectively reduce access to a modified risk product that has been a public health win and would simply prop up and protect the proven deadly tobacco market.

It is our belief that this continuing unjustified classification and requirements are not in the best interests of the State of Hawaii. Thank you for your time and consideration. If you have any questions, please feel free to contact me directly.

Sincerely,
Cory N. Smith
CEO & Owner
VOLCANO Fine Electronic Cigarettes®
1003 Bishop Street #1260
Honolulu, HI 96813
cory@volcanoecigs.com

SB-1405-HD-1

Submitted on: 4/2/2019 5:11:22 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
dillon rellez	irie hawaii	Oppose	No

Comments:

Every year we have to oppose a bill that is causing a lot of harm to the people on our island. If you take away a shipment of products that genuinely helps people get off of all kinds of addictions. E-cigarettes helps me not smoke cigarettes which kill. Please rethink before you make people seem like criminals for something that is just to help someone get better. Thank you for your time.

SB-1405-HD-1

Submitted on: 4/2/2019 3:40:38 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Vin Kim	Individual	Oppose	No

Comments:

This will just create a huge black market and will not help the situation.

SB-1405-HD-1

Submitted on: 4/2/2019 3:43:10 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teddy Kim	Individual	Oppose	No

Comments:

To whom it may concern,

I am opposing the bill presented. As a long time vaper of 7+ years, vaping has been a huge help in my life and my health. I've been cigarette free for the last 4 years due to vaping and my doctor has commended me for the improvement of my overall health condition.

I believe this bill is unfair and unconstitutional to what us Americans believe in, which freedom of choice. It's unfair that something like vaping which is so innovative in helping millions of Americans quit dangerous traditional tobacco cigarette is being ignored and demonized as being far more dangerous, even though there's hundreds of studies saying otherwise or opposite.

This bill will cause thousand of Hawaii residents to go right back to smoking and thousand who work at small mom and pop vape shops to be unemployed, and their shops shut down and go out of business. There are much bigger issues here in Hawaii:

-Homelessness

-Alcohol, Flavored Alcohol, deaths caused by drunk driving.

-Over budgeted rail funds which is going nowhere, while we're still being Taxed here and there for years.

-High cost of living and limited homes and apartment rentals for locals born and raised here, causing thousands each year to leave their homes to live in the mainland.

Hawaii is slowly becoming an anti-local and anti-small business State. These bills only cater to the wealthy, deep pocket businessmen who can afford high tax and interest rates. With these bills you're only pushing local businesses away to the mainland where they can survive.

I implore you to please look over this bill you're trying to pass and see if it's in the best interest for the people of Hawaii.

I vape and I use flavored e-liquids and it saved my life along with millions around the world. Please don't take that away from us.

Sincerely, Vince Tran of Honolulu, Hawaii

SB-1405-HD-1

Submitted on: 4/2/2019 4:01:56 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Cooper	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 4:00:17 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rafael Montero	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 4:14:33 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
naomi muronaka	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 4:16:18 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dallas Nelson	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 6:09:29 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Owens	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 4:33:25 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kimo Cruz	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 4:43:13 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andy Takaaze	Individual	Oppose	No

Comments:

Hawaii already has the toughest anti-smoking laws in the USA. We just created a whole separate department to license the sale of electronic cigarettes last year. We already tax tobacco products by 70%. When is enough enough? Let's spend our time and resources on enforcement. The job of law makers is to help our communities not continually burden them Year after year with tax upon tax. STOP creating more red tape for existing and tax paying small businesses. STOP.

thank you for your time.

SB-1405-HD-1

Submitted on: 4/2/2019 4:59:12 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Kim	Individual	Oppose	No

Comments:

Stop ripping people off.

SB-1405-HD-1

Submitted on: 4/2/2019 5:05:21 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Hoku	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 5:07:54 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
stacia deonte	Individual	Oppose	No

Comments:

I OPPOSE TO THIS BECAUSE MY GRANDPARENTS AND PARENTS HAVE STOPPED SMOKING CIGARETTES BECUASE THEY WERE INTRODUCED TO VAPING. I HAVE KIDS SO THE FACT THAT THEY DONT SMOKE CIGARETTES OR VAPING NOW IS GREAT! THEY WERE VAPING FOR ABOUT 6 MONTHS TO 1 YEAR AND THEY ENDED UP QUITTING THAT AS WELL AND IS NOW SMOKE FREE!

SB-1405-HD-1

Submitted on: 4/2/2019 5:29:06 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
pua	Individual	Oppose	No

Comments:

I have been smoking cigarettes since Elementary grade school. I've smoked ever since. These past 5 years I haven't smoked a cigarette or vape. I was able to completely kick the cigarette habit, when i started vaping. I vaped 50 mg of nicotine. I then went down to 35mg, to 6mg, 3mg, and eventually 0 mg of nicotine. Having these options of flavor and nicotine ranges, being able to afford it, and being able to afford a vaping device is what untilmetly lead me to be able to ween myself off my of addiction. Getting rid of these flavors and devices isn't fair to the adults who utilize it for their overall health. The freedom to chose is what gives us contentment through our day to day lives. It would also very much distroy small business and the income of people that work for those companies. Please don't pass this bill. Mahalo.

SB-1405-HD-1

Submitted on: 4/2/2019 4:38:30 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Royce Fukuroku	Individual	Support	No

Comments:

Date: April 2, 2019

To: The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

Re: **Strong Support of SB1405 SD2 HD1**, Relating to Electronic Smoking Products

Hrg: April 3, 2019 at 2:30 PM in Capitol Room 308

Aloha House Committee on Finance,

I am writing in **strong support of SB1405 SD2 HD1**, which establishes the offense of unlawful shipment of e-liquid products; includes e-liquid and electronic smoking devices (ESDs) in regulatory and taxation requirements applicable to tobacco products; increases tobacco wholesaler or dealer license fees and retail permit fees; allocates portions of tobacco tax revenues to the Hawai'i Tobacco Prevention and Control Trust Fund and to support tobacco and cancer prevention research; and, repeals statutory provisions made obsolete

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is now in the midst of a youth vaping epidemic, with 25.5 percent of high school and 15.7 percent of middle school students vaping regularly. We must regulate these products now to reverse this trend and the threat it poses to the development and long-term health of our youth.

Nearly all e-liquids, and all of the most popular ESDs among our youth, contain nicotine derived from tobacco plants. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Increasing tobacco prices through taxes is a proven strategy to reduce youth use.

Establishing ESD licensing and permitting requirements identifies the retail establishments selling these products, allowing state agencies to readily and effectively communicate regulatory changes, product recalls and other important information to retailers.

Restricting shipment of e-liquid products to only retailers with a tobacco license will prevent online sales to those under 21 year years of age.

I greatly appreciate that a portion of revenues generated from the ESD and e-liquid tax will be dedicated to the Hawai'i Tobacco Prevention and Control Trust Fund to support prevention and education programs, and help support individuals who want to quit.

I **strongly support SB1405 SD2 HD1** and respectfully ask you to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Keaau, HI

SB-1405-HD-1

Submitted on: 4/2/2019 4:43:35 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
DeAnna Hayashi	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 5:20:47 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
K. McGlone	Individual	Support	No

Comments:

Support SB1405 for a healthier Hawaii.

SB-1405-HD-1

Submitted on: 4/2/2019 3:52:46 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 3:05:32 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jamil Folio	Individual	Support	No

Comments:

Aloha,

I am writiing to ask that you please regulate vaping products in the same manner as other tobacco products. The argument that there is no tobacco in these products is irrelevant when they contain nicotine, the addictive ingredient derived from tobacco. Not only do they contain nicotine, but in general, and more and more as time goes on, they contain HIGH concentrations of nicotine. These are extremeley addictive products and they are addicting our children. The industry is making an obscene amount of money off of these products with practically zero regulation. It's time our state steps up and regulates them like other tobacco products, which the FDA has deemed electronic smoking products to be.

Mahalo nui loa,

Jamil Folio

Kula, Maui, HI

SB-1405-HD-1

Submitted on: 4/2/2019 3:59:59 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
mary santa maria	Individual	Support	No

Comments:

Dear Finance Committee,

Please support the bill 1405 to regulate vaping as other tobacco/nicotine products are regulated. Regulation of purchase/selling of these products including on-line, will provide needed funds to the State, while providing a means to ensure that underaged youth do not have access to the products. Please pass the bill.

Gratefully,

Mary Santa Maria. M P.H., M.S.

Makawao, Hawaii

SB-1405-HD-1

Submitted on: 4/2/2019 4:01:50 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cori Takesue	Individual	Support	No

Comments:

I strongly support bill SB1405. Hawai'i has some of the highest rates of vaping in the country, with 25% of high school students and 15% of middle school students reporting they vaped in the past 30 days. 81% of kids nationwide use a flavored tobacco product as their introduction to tobacco, including vaping. 30% of vapers start using combustible tobacco within 60 days of starting to vape and 95% of current smokers started before the age of 21. Youth are often drawn to the candy-like flavors. Banning flavored tobacco and regulating the sales of vaping products is key to breaking this cycle. Flavored tobacco has no place in Hawai'i and we hope you feel the same. We don't need candy flavored tobacco to entice youth into starting a potentially life-long addiction to nicotine. Please champion these bills to be heard by the Finance Committee and don't let these bills die so we can continue to keep Hawaii's Keiki safe.

Sincerely,

Cori Takesue, PsyD

Post-Doctoral Psychology Fellow, Behavioral Health Specialist

Lanai Community Health Center

SB-1405-HD-1

Submitted on: 4/2/2019 4:00:35 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Molly Mamaril	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 4:53:41 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kirstin Kahaloa	Individual	Support	No

Comments:

From: patriciablair@everyactioncustom.com on behalf of Patricia Blair
<patriciablair@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 5:58 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee. Actually they should just be banned!

Sincerely,
Patricia Blair
Kailua, HI 96734

From: james.yee@everyactioncustom.com on behalf of James Yee
<james.yee@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 5:53 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
James Yee
Honolulu, HI 96821

SB-1405-HD-1

Submitted on: 4/2/2019 6:15:08 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Wesley Oda	Individual	Support	No

Comments:

My name is Wesley Oda and I am a concerned resident who supports any legislation that will make the sale/use of tobacco related products more expensive as a means of discouraging individuals from wanting to even consider trying/using it. We have a broken health care system and our State legislators must make a bold statement and make the sale/use of tobacco products as inconvenient as possible. While this bill will not stop individuals from making a poor lifestyle decision, this kind of legislation will signal a conscious effort by our legislators that the State of Hawaii will do whatever it takes to prevent the illegal shipment and sale of e-tobacco products and treat this class of tobacco product the same as conventional tobacco products as it relates to taxation and fees - which can/will function as an added cost deterrant for individuals who are considering trying/using an e-tobacco product instead. Please do what is right for our state and its residents. Wesley Oda, 3237 Keahi Street, Honolulu 96822.

From: shilpa.patel@everyactioncustom.com on behalf of Shilpa Patel
<shilpa.patel@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 6:24 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Shilpa Patel
Honolulu, HI 96822

FIN-Jo

From: kcassel@everyactioncustom.com on behalf of Kevin Cassel
<kcassel@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:22 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Kevin Cassel
Honolulu, HI 96822

FIN-Jo

From: surfnshred@everyactioncustom.com on behalf of Dennis Barger
<surfnshred@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:20 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

This is a no-brainer. I am a former California health department employee trained in nicotine addiction and tobacco cessation.

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Dennis Barger
Kihei, HI 96753

FIN-Jo

From: levin@everyactioncustom.com on behalf of Mark Levin
<levin@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:10 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Mark Levin
Honolulu, HI 96822

FIN-Jo

From: tenaya.jackman@everyactioncustom.com on behalf of Tenaya Jackman
<tenaya.jackman@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:04 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Tenaya Jackman
Honolulu, HI 96815

FIN-Jo

From: cassi.yamashita@everyactioncustom.com on behalf of Cassiopia Yamashita
<cassi.yamashita@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:04 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Cassiopia Yamashita
Wailuku, HI 96793

FIN-Jo

From: vinceyamashiroya@everyactioncustom.com on behalf of Vince Yamashiroya
<vinceyamashiroya@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:04 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Vince Yamashiroya
Honolulu, HI 96814

FIN-Jo

From: dshaw@everyactioncustom.com on behalf of Diana M Shaw
<dshaw@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:25 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Diana M Shaw
Lanai City, HI 96763

FIN-Jo

From: ktakahashi@everyactioncustom.com on behalf of Ludvina Takahashi
<ktakahashi@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:26 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Ludvina Takahashi
Lihue, HI 96766

FIN-Jo

From: tylercp@everyactioncustom.com on behalf of Tyler Peterson
<tylercp@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:39 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Tyler Peterson
Hilo, HI 96720

FIN-Jo

From: jlakritz90@everyactioncustom.com on behalf of Jane Lakritz <jlakritz90@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:43 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Jane Lakritz
Hilo, HI 96720

FIN-Jo

From: rrector@everyactioncustom.com on behalf of Robyn Hart
<rrector@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 5:05 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Robyn Hart
Hilo, HI 96720

FIN-Jo

From: annes@everyactioncustom.com on behalf of Anne Scharnhorst
<annes@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 5:03 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Anne Scharnhorst
Wailuku, HI 96732

FIN-Jo

From: cdavis@everyactioncustom.com on behalf of Christine Davis
<cdavis@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:55 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Christine Davis
Kihei, HI 96753

FIN-Jo

From: alysha.cosier@everyactioncustom.com on behalf of Alysha Cosier
<alysha.cosier@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:54 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Alysha Cosier
Pahoa, HI 96778

FIN-Jo

From: sophianeddadavis@everyactioncustom.com on behalf of Hojung Nam
<sophianeddadavis@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:54 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Hojung Nam
Kihei, HI 96753

FIN-Jo

From: wdatario@everyactioncustom.com on behalf of Wilson Datario
<wdatario@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 4:47 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Wilson Datario
Pepeekeo, HI 96783

FIN-Jo

From: tadumlao@everyactioncustom.com on behalf of Tara-Ann Dumlao
<tadumlao@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 5:10 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Tara-Ann Dumlao
Aiea, HI 96701

FIN-Jo

From: barbrick@everyactioncustom.com on behalf of Barbara Nosaka
<barbrick@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 5:23 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Barbara Nosaka
Honolulu, HI 96822

FIN-Jo

From: barbrick@everyactioncustom.com on behalf of Barbara Nosaka
<barbrick@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 5:22 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Barbara Nosaka
Honolulu, HI 96822



HIPHI Board

Michael
Robinson, MBA, MA
Chair
Hawaii Pacific Health

Mark Levin, JD
Secretary
William S. Richardson School
of Law

Kilikina Mahi, MBA
Treasurer
KM Consulting LLC

Joy Barua, MBA
Kaiser Permanente

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Retired, Daniel K. Inouye
College of Pharmacy

Debbie Erskine
Kamehameha Schools

Keawe'aimoku
Kaholokula, PhD
John A. Burns School of
Medicine, Department of
Native Hawaiian Health

Bryan Mih, MD, MPH
John A. Burns School of
Medicine, Department of
Pediatrics

Rachel Novotny,
PhD, RDN, LD
University of Hawaii at Manoa,
College of Tropical Agriculture
and Human Resources

Catherine Taschner, JD
McCorriston Miller Mukai
MacKinnon LLP

JoAnn Tsark, MPH
John A. Burns School of
Medicine, Native Hawaiian
Research Office

En Young, MBA
Sansei, Lanai

Date: April 2, 2019

To: Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair
Members of the Finance Committee

Re: Strong Support for SB1405 SD2 HD1, Relating to Electronic
Smoking Products

Hrg: April 3, 2019 at 2:30pm at Conference Room 308

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Instituteⁱ is in **Strong Support of SB 1405 SD2 HD1** which imposes a tax on e-liquid, including disposable electronic smoking devices (ESDs), dedicates a portion of the revenue to tobacco prevention and control efforts, requires ESD wholesalers and retailers to obtain a license and a retail tobacco permit, and restricts the shipment of tobacco products to anyone other than a licensee.

E-cigarette use among youth and young adults has become a public health concern.

In 2017, 1 in 4 (25.5%) public high school students and more than 1 in 6 (15.7%) public middle school students in Hawai'i reported that they are regularly vapingⁱⁱ. Hawai'i has the third highest high school e-cigarette rate in the Country. Because ESDs remain unregulated, e-cigarette companies have aggressively marketed their products by glamorizing their use, using celebrities and young adults as endorsers, and making false health claims. E-cigarettes often contain nicotine, which is addictive and harmful particularly to adolescents, whose brains are still developing. A 2016 report by the Surgeon General concluded that e-cigarettes are dangerous and a health threat to youth and young adultsⁱⁱⁱ. According to a recent article published by Dr. Jackler and Dr. Ramamurthi, "JUUL has triggered a widespread rush among aerosol purveyors to market e-liquid in unprecedentedly high nicotine concentrations^{iv}."

Electronic smoking devices (ESDs) are the only tobacco product without a tobacco tax.

In 2016, the FDA deemed e-cigarettes, including its components and parts as tobacco products. In a poll^v conducted by Ward Research Inc.

for the Coalition in November 2018, 77% of registered Hawai'i voters were in support of taxing e-cigarettes at the same rate as cigarettes or other tobacco products. Because ESDs are not subject to current State tobacco tax laws, they are seen as lower-priced tobacco alternatives with virtually no restrictions that can be appealing to the youth. A local retailer is selling 15mL of e-liquid, some with strengths up to 50 mg of nicotine per mL, for as little as \$5.00^{vi}. Some companies have starter kits for \$0.99. Raising taxes and increasing the price of tobacco products is a proven strategy to reduce consumption for both adults and youth.

The Coalition supports establishing an ESD tax and appreciates that this measure dedicates a portion of the tax revenue to tobacco prevention and control programs and to the University of Hawaii Cancer Center.

ESD licensing and permits protect both consumers and merchants.

The Coalition recommends that ESD sellers and vendors obtain a tobacco permit and/or license which is currently required for any tobacco retailer or wholesaler. This consistency would assist with the communication and enforcement of current tobacco tax and purchase laws. In addition, the Coalition supports the proposed increased fees for the tobacco permit and license.

This measure corrects the loophole in our minimum age selling and tax laws.

Many online ESD sellers simply ask users to click a button to verify their age – a process that is both ineffective and inadequate. This measure helps to correct this loophole by requiring that ESD products be shipped to a registered and licensed seller allowing the State to enforce current tobacco selling and taxation laws.

To reiterate, 25.5% of our high school youth reported that they are regularly vaping. However, our adult rate is 4.7%^{vii}. We need to take action and regulate electronic smoking devices for our kids. With the FDA Commissioner announcing his resignation, federal regulations are likely to be furthered delayed.

The current Surgeon General, VADM Jerome Adams issued an advisory last December “emphasizing the importance of protecting our children from a lifetime of nicotine addiction and associated health risks by immediately addressing the epidemic of youth e-cigarette use. The recent surge in e-cigarette use among youth, which has been fueled by new types of e-cigarettes that have recently entered the market, is a cause for great concern. We must take action now to protect the health of our nation’s young people^{viii}.” Hawai'i has made enormous progress on tobacco control and we ask the legislature to take the necessary steps to reverse our youth vaping epidemic in order to save our youth from a lifetime of addiction.

Thank you for the opportunity to testify. We strongly support SB 1405 SD2 HD1 and respectfully ask you to pass this measure as is out of committee.

Mahalo,



Jessica Yamauchi, MA
Executive Director

ⁱ The Coalition for a Tobacco-Free Hawai'i (Coalition) is a program of the Hawai'i Public Health Institute (HIPHI) that is dedicated to reducing tobacco use through education, policy, and advocacy. With more than two decades of history in Hawai'i, the Coalition has led several campaigns on enacting smoke-free environments, including being the first state in the nation to prohibit the sale of tobacco and electronic smoking devices to purchasers under 21 years of age.

The Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.

ⁱⁱ 2017 Youth Risk Behavior Surveillance System (YRBS).

<http://www.hawaiihealthmatters.org/indicators/index/dashboard?id=83016762154173692>

ⁱⁱⁱ U.S. Department of Health and Human Services. *E-cigarette Use Among Youth and Young Adults, a Report from the Surgeon General (2017)*. From https://e-cigarettes.surgeongeneral.gov/documents/2016_SGR_Exec_Summ_508.pdf

^{iv} Jackler RK, Ramamurthi D. Tob Control Epub ahead of print: 2.6.19.doi:10.1136/tobaccocontrol-2018-054796. <https://tobaccocontrol.bmi.com/content/early/2019/01/31/tobaccocontrol-2018-054796>

^v This study by Ward Research, Inc. summarizes findings from a phone survey among n=804 Hawaii registered voters (maximum sampling error +/-3.3%), conducted between October 8 and November 2, 2018.

^{vi} <https://www.volcanoecigs.com/strawberry-nicotine-salt-15ml-by-solace-vapor.html>

^{vii} 2017 Behavioral Risk Factor Surveillance System (BRFSS).

https://nccd.cdc.gov/BRFSSPrevalence/rdPage.aspx?rdReport=DPH_BRFSS.ExploreByLocation&rdProcessAction=&SaveFileGenerated=1&irbLocationType=States&islLocation=15&islState=&islCounty=&islClass=CLASS19&islTopic=TOPIC67&islYear=2017&hidLocationType=States&hidLocation=15&hidClass=CLASS19&hidTopic=TOPIC67&hidTopicName=E-Cigarette+Use&hidYear=2017&irbShowFootnotes=Show&rdICL-iclIndicators=CURECIG%2cECIGSTS&iclIndicators_rdExpandedCollapsedHistory=&iclIndicators=CURECIG%2cECIGSTS&hidPreviouslySelectedIndicators=&DashboardColumnCount=2&rdShowElementHistory=&rdScrollX=0&rdScrollY=0&rdRnd=60487

^{viii} Surgeon General Advisory, December 2018, <https://e-cigarettes.surgeongeneral.gov/documents/surgeon-generals-advisory-on-e-cigarette-use-among-youth-2018.pdf>

Dear Chair Luke & House of Representatives Committee on Finance,

I am writing in STRONG OPPOSITION to SB1405 (SD2 HD1).

Vapor Products Are Not the Same as Tobacco:

They Contain No Tobacco and Often NO Nicotine. Vapor products and e-liquids contain NO tobacco, and often contain NO nicotine at all. They emit NO smoke, only water vapor and yet this bill deceptively refers to vapor products as “Electronic Smoking Devices”. It is misleading to the public and wrong. Vapor products are not the same as tobacco products and should be viewed, controlled, and talked about differently than traditional tobacco products. They are fundamentally different from tobacco products in every way, and many of its users use them because they are less harmful and different.

Studies Show That They Are Being Used to Curb Traditional Smoking Rates:

Vapor Products are not the same as tobacco products, and thus, should not be regulated in the same fashion. Vapor products have not been demonstrated to have the same detrimental effects of combustible tobacco products and have otherwise been shown in recent studies to be as much as 95% less toxic than traditional cigarettes.

- A recent CDC report has shown e-cigarettes have supplanted all other traditional nicotine replacement therapies and are now the most commonly used product by consumers to quit using traditional tobacco cigarettes. This is an important fact, and something to consider if health is truly what you are concerned about:
http://www.journalnow.com/business/business_news/local/cdc-report-shows-moresmokers-try-to-quit-with-e/article_a33383f3-5300-5178-9f14-28b52884c45c.html
- Studies show that the substantial increase in e-cigarette use among US adult smokers was associated with a statistically significant increase in the smoking cessation rate at the population level: <http://www.bmj.com/content/358/bmj.j3262>

Restricting Delivery Is Only Going to Hurt Local Business:

SB1405 (SD2 HD1) would place restrictions on shipments of vapor products to only licensees and would thus act as a ban on Internet sales & purchases by the public and would be unenforceable. This would not successfully remove vapor products from the Internet. It would simply restrict local businesses from competing with businesses from the 49 other states and countries around the world who would not be subjected to this law. Internet sales provide access to vapor products for many local customers who live in remote locations. By restricting local Internet retailers, those purchases would simply be sent to mainland-based suppliers or even worse, would force those people who do not have easy access to vapor products to return to smoking.

Please vote against this bill.

Thank you for considering this testimony.

Aloha,
Johnathon Myers
Concerned Constituent & Consumer

SB-1405-HD-1

Submitted on: 4/2/2019 6:56:26 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Baker	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 7:04:05 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

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

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 7:05:42 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
austin carvalho	Individual	Oppose	No

Comments:

The shipment of tobacco to Hawaii even if it stopped will not stop it coming from Hawaii due to the fact that you could buy it from any other legal state while off island

SB-1405-HD-1

Submitted on: 4/2/2019 7:06:11 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

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

Comments:

E-cigarettes are scientifically proven to be better than FDA-approved nicotine replacement therapy in promoting smoking cessation. They are important tobacco harm reduction products and online /mail order sales are one of the most important differentiators between them and combustible tobacco products.

Banning online/mail order sales is both economically harmful to Hawaii businesses and harmful to the health and pocketbooks of Hawaii consumers.

SB-1405-HD-1

Submitted on: 4/2/2019 7:08:13 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Orozco	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 7:09:51 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
lopaka swope	Individual	Oppose	No

Comments:

ALOHA, My name is lopaka swope and i am a vaper. i dont think if you ban flavors or vaping completly thrat it will help or change anything. all you will see is more people going back to combustional tobacco and more health problems. you will also be taking away everyones rights to pick their own flavor insted of having straight tobacco flavors. The flavors are for 21+ adults. we love our flavors.

SB-1405-HD-1

Submitted on: 4/2/2019 7:54:32 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
ASHLEY MATTOS	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 8:26:13 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Garett Uyesugi	Individual	Oppose	No

Comments:

dear our elected representatives

While I might agree that if given the choice between this bill and the flavor bill this bill seems to be the compromise to keep vape from prohibition in Hawaii. My main concern is if taxed then it be "reasonable". Also there needs to be strict enforcement to make sure all sellers is playing the same ball field and paying the "reasonable" tax. No responsible specialized Vape store wants to have underage get our products. Responsible Vape shops card everyone coming in door and if no ID no entry. Vape has helped tons of people quit tobacco. Isn't that a good thing? Youth epidemic could be said to be also in Alcohol, Tobacco and pakalolo and IMHO i feel Vape is the least destructive to our youth.

aloha

garett uyesugi

SB-1405-HD-1

Submitted on: 4/2/2019 9:17:14 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
ellen benton	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 9:17:45 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Bland	IMUA Maui	Support	No

Comments:

I urge you to support this bill to protect the future of our keiki. Vape products need to be regulated to keep them out of the hands of kids.

Robert Bland, Maui, HI

SB-1405-HD-1

Submitted on: 4/2/2019 9:28:57 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Yim	Individual	Oppose	No

Comments:

I oppose this bill strongly!

How will Hawaii enforcer such a measure when dealing with shipment originating out of the state? IS teh state of Hawaii going to intercept all federal and provate mail shipments and search for these vape liquids? It is a foolish idea and one that has not been properly researched.

SB-1405-HD-1

Submitted on: 4/2/2019 7:50:57 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaulunae Hamakua	Individual	Support	No

Comments:

Aloha mai kakou,

My name is Kauluna'e Hamakua and I am a resident of Kaunakakai, Moloka'i. I am submitting this testimony as a constituent.

I am testifying in strong support of bill SB1405.

Flavored tobacco products are deceiving our future generations into believing they are less harmful than traditional cigarettes. Flavored tobacco products, like vapes & ejuices to name a few, are introducing smoking to people who would have never smoked in their life. This is starting to become an epidemic.

I urge you to please support this bill and protect our young adult, youth, and future generations.

SB-1405-HD-1

Submitted on: 4/2/2019 8:39:27 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Lacques	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 11:47:28 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keane Tanaka	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 11:54:56 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
DANIEL DRAPESA	Individual	Oppose	No

Comments:

My wife smoked cigarettes for more than fifteen years. She would constantly get sick and would get winded easily She tried quitting many times with no success. After trying vaping she was able to quit over night. She has been smoke free for over a year and a half now with out the urge to return. Her health has dramatically improved and she can run and play with our children. If this bill was to pass into law, the cost vaping in Hawaii would dramatically increase. This could effect retailers and their employees. It would result in a lot of Hawaii's people losing their jobs. My wife's progress would not be possible without Vaping and she would most likely got back to traditional cigarettes if it vaping was no longer a viable option.

Aside from my wife's story, I myself work at brick and mortar Vape shop. My coworkers and I would have our careers threatened by this bill passing and becoming law. That would take away our livelihood and the means that we provide for our families. From our business standpoint this bill would add on alot of unexpected cost to maintaining our small business. The cost of our product would have to go up and we would most likely lose alot of customers. The worse case scenario our shop would shut down.

On a daily basis, at work, I meet adults who are of age who tell me how vaping has helped them quit and stay off smoking for a month, a year, five years or more. They tell me that vaping was the only way that truly worked for them. Studies show its 95% less harmful. Studies also show vaping gives smokers twice the likelihood of quitting over other methods (I.e. patches, gum, etc.) VAPING IS NOT SMOKING!! Alot of your supporting details bundle the two together and they are not the same thing. A more effective path you could pursue would be stricter punishments for retailers that sell to underage and for parents of kids caught vaping or with devices/eliquid. Parents need to be accountable for their children. Often times they are the ones buying it for the kids.

In closing I highly oppose SB1405, Aloha!

SB-1405-HD-1

Submitted on: 4/3/2019 2:57:52 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rick Chandler	Individual	Oppose	No

Comments:

Alongside the costly and burdensome regulatory requirements set out by the U.S. Food and Drug Administration in May 2016, the impact of a 70 percent wholesale tax will be crippling to the vapor industry in Hawaii and the jobs and economic activity it supports, while failing to produce the revenue the state estimates.

Our position is clear: minors should not use electronic cigarettes and should not be able to obtain these products. We market our products to adult smokers only, we abide by federal and state regulations that govern our industry and products, and we believe there is a role for taxation and regulation that is fair, evidence-based, and proportionate.

Consistent with these beliefs, we take a reasonable approach when it comes to the taxation of our products. That is why we write to urge you to abandon your proposed 70 percent wholesale tax, and instead consider implementing a 10 cent per milliliter tax on the sale of all e-liquids, irrespective of whether they contain nicotine.

Logic recognizes the fiscal realities faced by the state and the role reasonable taxation can play. We have supported efforts nation-wide to implement tax mechanisms that provide stable, predictable revenue, without doing irreparable harm to the category as a whole.

States that have implemented percentage-based tax structures have seen the category stagnate and businesses close, resulting in a loss of tax receipts as sales are pushed across state lines or to unregulated illicit market channels. We have seen the disastrous results of a high percentage-based tax in Pennsylvania, where a 40 percent wholesale tax resulted in 100 businesses closing in the first year, with 1,000 jobs lost, according to the Vapor Technology Association. Vapor product sales also declined by 1% in Pennsylvania, while its border states grew by 22%, depriving the state of excise and sales tax revenue.

Any percentage-based tax will inevitably advantage the cheapest products in the marketplace. The result of this is larger price differentials between the highest and lowest quality products, a price incentive for adult consumers to move to the cheapest brands, and a race to the bottom for manufacturers that may compromise safety or quality. As adult consumers gradually migrate to the cheapest products on the market,

the state will also take in less in tax revenue (both sales and excise) as they are applied as a percentage of the cost.

Logic supports proposals that would impose a moderate level of taxation that on the consumable part of our products and also help to limit incentives for tax evasion and avoidance, which undermine tax revenues. To achieve this, we believe it to be essential to define an optimal tax base, excise tax structure and rate.

Data have shown that the optimal structure is a tax on the e-liquid, applied at a fixed level per milliliter of e-liquid sold.

It is important that the tax be applied to all e-liquids, rather than just those containing nicotine, to ensure that adult consumers are not encouraged to purchase nicotine-free e-liquids and mix in liquid nicotine on their own, which is readily available online and in some specialty shops, and presents a very real public health risk.

Critically, states that have enacted similar per milliliter taxes on e-liquids have reported little-to-no industry disruption or job loss.

Rather than imposing a percentage-based tax mechanism that would result in an unpredictable revenue stream for the state, our proposal would levy a fixed tax on the e-liquid, providing certainty and predictability over revenue, and ease and simplicity of administration. This proposal also overcomes the challenges presented by the significant variety of devices, e-liquids and pricing in the marketplace.

As the regulatory burden continues to grow on responsible suppliers such as Logic, less scrupulous operators that are not concerned by regulatory obligations, youth access, product quality or consumer protection, will continue to exploit an unregulated environment, including online, avoiding all regulation and taxation compliance requirements. Anything other than a moderate excise approach would exacerbate this growing concern by pushing adult consumers toward these sales, which would result in the state struggling to realize even the most conservative revenue estimates.

We believe that adult smokers should be given the choice and opportunity to try electronic cigarettes. By levying an excessive tax on electronic cigarettes in Hawaii, adult consumers who already made the switch to electronic cigarettes may return to smoking, abandoning the products that may have the potential to lower risk.

SB-1405-HD-1

Submitted on: 4/3/2019 7:36:28 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonah K Manuel	Individual	Oppose	No

Comments:

I oppose this bill because itb effects our right to choose our flavor. Also it helps people quit ciggerettes

SB-1405-HD-1

Submitted on: 4/3/2019 5:45:21 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Stevens	Individual	Oppose	No

Comments:

strongly opposed.

SB-1405-HD-1

Submitted on: 4/2/2019 8:44:26 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaimana Brummel	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 9:01:33 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keikilani Uehara	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 9:02:57 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carissa Holley	Individual	Support	No

Comments:

I support this bill. I'm a mother of two young children, who are asking me curiously about the vape clouds they see, the smells that are like candy. Please ban the distribution of flavored tobacco products.

April 2, 2019

Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Jessica Cambra ~mother of 3 Maui boys
101 Kealohilani Street
Kahului HI 96732
808-280-0055

Alexander Academy of Performing Arts

P.O. Box 1291 • Kula, HI 96790 • 808-878-8970

dance@alexanderacademy.info • www.alexanderacademy.info

April 3, 2019

My name is Danelle Watson, I am the director of Alexander Academy of Performing Arts. I am testifying on SB1405-electronic smoking products. I am testifying in strong support of a ban to prevent sale of electronic smoking products. This is a huge concern as I directly understand the impacts of tobacco addiction as I once dealt with this personally. If we can keep our children away from these products at a young age, hopefully many addictions can be prevented. Let's show our keiki we care.

8 in 10 youth who use tobacco product started with a flavored product. 95% of smokers started before they were 21, most with flavored tobacco product. Youth who vape are 10 times more likely to start smoking. 25.5 % of Hawaii high schoolers vape, this is more than 2X national average. 15.7% of Hawaii middle schoolers vape, this is more than 3x national average.

Ending the sale of electronic smoking products will help protect our youth from a lifetime of tobacco addiction.

I am in strong favor of a ban on electronic smoking products.

Danelle Watson

Director, Alexander Academy of Performing Arts

SB-1405-HD-1

Submitted on: 4/3/2019 9:07:52 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kacey sakamoto	baldwin high school	Support	No

Comments:

Aloha Senator,

I'm continuing to ask for your support of our 2019 legislative effort to ban flavored tobacco and e-cigarette products in Hawaii.

Being part of the Peer Education Program (PEP) I have been made aware of the rise in the use of tobacco and vaping products. We are taking initiative because Maui is the second highest in the state for vaping. 90% of current smokers started smoking before the age of 18. It is obvious that younger children are becoming more prone to the exposure and eventual use of vaping and tobacco products.

Studies have shown that vaping can cause "popcorn" lung, which causes rupturing of the air sacs in your lung. This is completely irreversible. Not only can vaping cause Popcorn lung but many other unknown consequences that could potentially be life-threatening.

We don't need candy-flavored tobacco to be enticing youth into signing a death sentence from an addiction to nicotine. Please support us by adding your name to the list of elected officials at flavorhookkidshi.org !

Mahalo for your helping to keep Hawaii's Keiki safe.

Sincerely,

Kacey Sakamoto

Baldwin PEP

SB-1405-HD-1

Submitted on: 4/3/2019 7:58:34 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Collins	Individual	Support	No

Comments:

Aloha,

Thank you for allowing me to submit testimony. I am in STRONG SUPPORT of this measure regulate the sales and shipment of ESDs. This would be a tremendous win for the health and wellness of all of our children and young people in Hawaii, who are the targets of these products. This is not an ordinary commodity and we should hold them to taxation and shipping standards that create tax revenue for the State and protect our young people from accessing ESDs via the Internet. Let's make Hawaii the example of what it means to protect our children and hold the tobacco industry responsible for being taxed for items that shouldn't be allowed to slip through tax loopholes.. I implore you to pass this measure.

Mahalo for your time and attention.

Ann Collins, Kula, HI

SB-1405-HD-1

Submitted on: 4/3/2019 7:33:48 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/2/2019 11:56:22 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Chun	American Cancer Society Cancer Action Network	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 9:09:15 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
shalea	peer education (BHS)	Support	No

Comments:

To the House Committee on Health,

I strongly support SB1405, which would regulate electronic smoking devices (ESD) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the Hawai'i Tobacco Prevention and Control Trust Fund.

I am a junior at H.P Baldwin High school and vaping is very prominent here in school. Students vape in class without the teacher knowing because of how small the newer models are. A lot of the students that I know that vape, their parents do not know. They get access to the e-cigarette from buying online because it is that easy to but an ESD online. On top of that, the e-liquids are just as easy to access because they are inexpensive. I believe that this regulation will prevent even more students from getting their hand's on e-cigarettes and e-liquid.

Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 and ask you to pass this out of committee.

Sincerely,

Shalea Castillo

SB-1405-HD-1

Submitted on: 4/2/2019 9:32:58 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. David Peterson	Hana Lima Physical Therapy	Support	No

Comments:

Aloha, I am Dr. David Peterson, owner of Hana Lima Physical Therapy and a front-line medical professional on Maui. I am also the father of two young daughters. I strongly support SB1405 and the strong regulation of vaping products. My understanding is that less than 5% of adults in Hawaii vape, while an alarming 32% of Maui High School students vape. That percentage is so alarming to me, as a medical professional, that I can hardly stand to type it. It is awful that this insidious product exists, and especially terrible that our youth are under the mistaken impression that it is somehow less damaging than cigarettes. Please vote in favor of SB1405, for the sake of our children's health.



Testimony in SUPPORT of SB1405 SD2 HD1

To: Rep. Sylvia Luke, Chair
Rep. Ty J.K. Cullen, Vice Chair

Keiki Injury Prevention Coalition (KIPC) SUPPORTS SB 1405, SD2, HD1-Relating to Electronic Smoking Products

My name is Lisa Dau, RN, Injury Prevention Coordinator and I represent Keiki Injury Prevention Coalition (KIPC). KIPC **SUPPORTS** the passage of SB1405, SD2, HD1 relating to electronic smoke products.

Regulations of electronic smoking products is essential to avoid children, teens and young adults with easy access to these dangerous, addicting products.

Vaping, in particular, JUULING is a teen phenomenon happening outside the adult radar screen. Vaping companies have been borrowing techniques from tobacco companies to market their products directly to children. Despite tobacco and nicotine websites requiring purchases of online products to those 21 and older, children and teens can easily purchase these products due to loopholes for access. This bill will address the loopholes, creating regulations to decrease access to these products from kids.

Thank you for your time in considering passing this bill SB1405 SD2 HD1

Mahalo,

Lisa Dau, RN
Injury Prevention Coordinator
Keiki Injury Prevention Coalition

SB-1405-HD-1

Submitted on: 4/3/2019 8:08:32 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Molliane Gotter	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 9:16:36 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelsie Cajka	Individual	Support	No

Comments:

I support this bill regulating the sales of electronic smoking device products in Hawaii. It is still unclear about the harmful outcomes to our health that may be caused by these devices and without regulation, it becomes too easy for anyone to purchase. Thank you for your support.

SB-1405-HD-1

Submitted on: 4/3/2019 7:29:53 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Tam	Individual	Support	Yes

Comments:

Please vote in support of SB1405.

The vaping epidemic among our youth will have consequences: high concentrations of nicotine (and other toxins that are not in Hawaii's clean air) are reaching our children's brains and lungs during prime adolescent growth and maturation phases of those vital organs. In the brains, we know that nicotine primes the brains for addiction to many drugs and behaviors. In fact, we now know that the use of e cigs is associated with increased uptake of cigarette smoking. These devices are erasing Hawaii's remarkable gains in clearing the air we breathe!

Nicotine regulates growth of lungs and airways; we will soon learn of the physiologic and public health effects of such unprecedented exposure during the pre-teen and teen years! High concentrations of nicotine influence every organ of our keiki; the effects on their brains and lungs may just be the first to manifest.

Please support SB1405!

SB-1405-HD-1

Submitted on: 4/3/2019 7:18:18 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Megan Tabata	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 9:03:37 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shani Gacayan	Individual	Support	No

Comments:

I, strongly support SB1405 regulating e-cigarettes.

SB-1405-HD-1

Submitted on: 4/3/2019 9:20:30 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Teshima	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 7:56:55 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Collins	Individual	Support	No

Comments:

Aloha,

Thank you for allowing me to submit testimony. I am in STRONG SUPPORT of this measure regulate the sales and shipment of ESDs. This would be a tremendous win for the health and wellness of all of our children and young people in Hawaii, who are the targets of these products. This is not an ordinary commodity and we should hold them to taxation and shipping standards that create tax revenue for the State and protect our young people from accessing ESDs via the Internet. Let's make Hawaii the example of what it means to protect our children and hold the tobacco industry responsible for being taxed for items that shouldn't be allowed to slip through tax loopholes.. I implore you to pass this measure.

Mahalo for your time and attention.

Richard Collins, Kula, HI

SB-1405-HD-1

Submitted on: 4/2/2019 9:04:35 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laksmi M Abraham	Individual	Support	No

Comments:

I strongly support SB1405, which will help to regulate sales of electronic smoking devices. In Hawaii alone, smoking causes 1400 adult deaths per year and costs \$256 million. Limiting the use of tobacco would result in an extremely effective way to prevent a variety of chronic diseases and many other adverse health consequences.

An industry which is not regulated cannot be held accountable. This measure would mandate that e-cigarette retailers need to possess the appropriate retail tobacco permit to sell e-cigarettes and liquids, which would result in better oversight of this quickly growing industry. It is impossible to know if a retailer is selling to under 21 if there is no way to track the retailers.

The industry has been left to grow without paying the taxes it should be paying on its products. It is important to bring electronic smoking devices, and their parts, under the same tobacco taxes as other nicotine products. This alignment creates a more clear message to consumers. Furthermore, this measure will increase the cost for a tobacco license from \$2.50 annually to \$250 annually, and the cost of a retail permit will go from \$20 annually to \$50 annually. Even small businesses can pay these minimal raises in fees to be allowed to continue to profit from the sale of tobacco products.

Although Hawaii has one of the strictest laws in the nation prohibiting the sale of tobacco to individuals under the age of 21, our children are easily able to purchase cigarettes and other tobacco products via the Internet. This legislation will address this loophole by only allowing the online purchase and shipment of tobacco products to licensed retailers, where consumers can purchase.

There are still many people in Hawaii that don't truly understand the harmful effects of vaping. Likewise, student surveys with the Tobacco Coalition of Hawaii show us that parents are purchasing vape products for their kids, naïve to the real impact of addiction and health concerns vaping brings. In addition, we are learning that many kids access vape products online, using their parent's resources and information to order them. This loophole needs to be addressed and corrected.

Nationally, there was a 78% increase from 2017-2018 in current e-cigarette use among high school students and 48% increase among middle school students. Bringing the total number of middle and high school students currently using to 3.6 million, 1.5 million

more than the previous year. Hawaii youth are part of this trend. There continues to be a steep rise in the use of electronic smoking devices, and the unregulated industry allows for a simple and easy way for children to purchase these relatively inexpensive, undertaxed products.

Overall, there are a variety of issue this legislation will address. It is time to regulate an industry, to collect the appropriate taxes, raise the cost of licensing and permitting fees as well as ensure that there are no longer illegal online sales.

We are grateful to the Committee for hearing SB1405 and urge you to pass this bill that will better regulate tobacco products.

Sincerely,

Laksmi Abraham - Waikapu, Maui

SB-1405-HD-1

Submitted on: 4/3/2019 9:40:51 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Hagan	Individual	Support	No

Comments:

I am testifying in strong support of SB1405 because it has great potential to stem the tide of the youth vaping epidemic in Hawaii. As most ESDs purchased in this country contain nicotine, a highly addictive substance derived from tobacco, treating ESDs like other tobacco products is a crucial catch-up step. According to results of the 2018 National Youth Tobacco Survey, over 1/4 (27.1%) of high school students reported using at least one tobacco product in 2018, the highest rate in 14 years. This was largely driven by the rapid rise and use of e-cigarettes.

With tobacco remaining as the leading cause of preventable death in Hawaii as well as the US as a whole, it will be a major public health failure to leave ESDs largely unregulated. Our youth vaping rates in Hawaii are even higher than those on the mainland, with 42% of all high school students and 27% of middle schoolers having reported use of electronic vaping products in 2017. SB 1405 will help reduce youth access to e-liquids and e-cigarettes, helping protect our next generation from a lifetime of addiction and health risks.

The time to intervene in the youth vaping epidemic in Hawaii is now, and one key step is passage of SB 1405. As a parent, a nurse, and a tobacco cessation specialist, I urge you to vote in support of this critical legislation to protect the health of Hawaii's future leaders.

SB-1405-HD-1

Submitted on: 4/3/2019 9:41:55 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Randi Derego	Individual	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 9:43:02 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Hayashi	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 9:45:44 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Craig Petty	Individual	Support	No

Comments:

With e-liquid products becoming more popular due to large tobacco companies marketing efforts, the ability to sell these should follow the same regulations as tobacco. Targeting of these products to kids is putting these deadly products in the hands of kids when they shouldn't be.

Passing this bill to place these under the same regulation benefits our state, our residents and most importantly our kids.

SB-1405-HD-1

Submitted on: 4/3/2019 9:53:43 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Aaliyah Sistoza-Mortel	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 10:02:42 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keolamalie McComber	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 10:03:19 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Delfin	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 10:39:32 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kelsie Inaba	Individual	Support	No

Comments:

I am an educator at Kamehameha Schools and resident of Hawaii. With over 15,000 flavors on the market, restricting the sale of kid friendly flavors that appeal to youth is necessary to protect them from a lifetime of nicotine addiction and drug use, overall. In addition, taxing stores that sell disposable e-cigarettes and vape liquids would not only contribute to Hawaii's economy, but would allow businesses to think twice about what they are selling!

SB-1405-HD-1

Submitted on: 4/3/2019 10:53:11 AM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
thomas wills	Individual	Support	Yes

Comments:

Testimony:

Date: April 2, 2019

To: Rep. Sylvia Luke, Chair

Rep. Ty J. K. Cullen, Vice Chair

Members of the House Committee on Finance

Re: Support of SB1405-SD2-HD1 (HSCR1600), Relating to Electronic Smoking Products

Hrg: April 3, 2019 at 2:30 PM at Capitol Conference Room 308

I strongly support SB1405-SD2-HD1, which would regulate e-liquids and electronic smoking devices (ESDs) as tobacco products through taxation, shipment, and licensing and permitting.

I support this bill because of findings from our research with Hawaii adolescents and adults conducted over the past 5 years. Recent studies have shown that ESD use is quite prevalent among Hawaii middle and high school students, in recent years over 40% of high school students having used e-cigarettes. Even at younger ages, the prevalence among middle school students is over 20% of the school population.

In addition to showing that e-cigarette use is prevalent among Hawaii school students, our studies have shown that ESD use is linked to several adverse outcomes. Notably, using e-cigarettes is related to initiation of cigarette smoking among previous nonsmokers, hence is contributing to undesirable outcomes. Our findings from Hawaii have been reported in national and international scientific journals such as JAMA Pediatrics and have been confirmed in several different US sites as well as in Britain, Germany, Canada, and Mexico.

In addition, our research has shown that e-cigarette use is related to a higher likelihood of respiratory disease (asthma and COPD) among Hawaii adolescents and adults. This

has recently been reported in the two scientific journals, the journal Preventive Medicine and the journal Drug and Alcohol Dependence. Thus there is now evidence that e-cigarette use may be linked to adverse health consequences as well as adverse behavioral consequences such as smoking initiation. Moreover, there is now considerable evidence to refute the belief that e-cigarettes help adults quit smoking. Rather, empirical studies of large populations have shown that people who use e-cigarettes are less likely to quit.

We have observed that e-cigarettes are aggressively marketed to Hawaii youth in television, print media, radio, and point-of-sale advertising venues. Without regulation, e-cigarette manufacturers will continue to aggressively market their products by using young adults and celebrities as endorsers, glamorizing its use, promoting deep discounts, and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple.

Because of the adverse consequences that are known to be related to e-cigarette use, 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 permitting and licensing which will allow the state to know who is selling e-cigarettes in Hawaii and work with these merchants to educate and enforce current tobacco laws.

I strongly support SB1405-SD2-HD1 and ask you to pass this out of committee.

Yours sincerely,

Thomas A. Wills, Ph.D.

Director, Cancer Prevention in the Pacific Program

University of Hawaii Cancer Center

FIN-Jo

From: gail.kim84@everyactioncustom.com on behalf of Gail Kim <gail.kim84@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 10:09 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,

Gail Kim

Sincerely,
Gail Kim
Mililani, HI 96789

FIN-Jo

From: adin_jane@everyactioncustom.com on behalf of Adin Williams
<adin_jane@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 5:46 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

Aloha, my name is Adin Williams and I am in the 9th grade at Kauai High School. I also dance at KUGA which is a dance studio supporting a drug and suicide free Kauai.

I support the prohibit of shipment of any e-liquid products. Since we are n the little island of Kauai it is difficult for people to get ESD products so they order them. it is also easy for underage people to order ESD products under a fake ID.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Adin Williams
Kalaheo, HI 96741

FIN-Jo

From: khloe_hernandez@everyactioncustom.com on behalf of Khloe Hernandez
<khloe_hernandez@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 5:42 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

Aloha, my name is Khloe and I am a 9th grader at Kauai High School. I am taking this position because to the youth that is using a ESD product they should be informed by the health consequences. Also, to the youngins that will probably be lured in from others, we should inform elementary schools about the risks and dangers. Put a stop to this now before it gets too late.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Khloe Hernandez
Lihue, HI 96766

FIN-Jo

From: judith.beaver@everyactioncustom.com on behalf of Judith Beaver
<judith.beaver@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 5:10 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Judith Beaver
Hilo, HI 96720

FIN-Jo

From: mkyono@everyactioncustom.com on behalf of Mae Kyono
<mkyono@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 1:48 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

As a pediatrician, I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Mae Kyono
Honolulu, HI 96826

FIN-Jo

From: weinerkauai@everyactioncustom.com on behalf of Linda Weiner
<weinerkauai@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 12:35 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

I strongly support HB1574, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the Hawai'i Tobacco Prevention and Control Trust Fund.

Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. Hawaii has one of the highest rates of flavored electronic device use among teens, including middle-schooler, in the nation. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. This method was extremely effective in cutting down on youth cigarette smoking in the 1980's and 1990's. Like those efforts, a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

We owe our children, and all citizens, strong efforts on many fronts to attack and reverse the epidemic of ESD use, which is rapidly addicting new users because of the extremely high nicotine concentrations in the vaping liquids.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Linda Weiner MD
Pediatrics
Kauai

Sincerely,
Linda Weiner
Kalaheo, HI 96741

FIN-Jo

From: izzysobizzy808@everyactioncustom.com on behalf of Isabelle Collier <izzysobizzy808@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 10:47 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

Many high schoolers have jobs and many vapes do not cost very much. It is extremely easy for a kid to find 40 dollars to buy a vape. Other kids sell them for even less! If they were expense like box mods kids would not be able to just they buy them and resell them. Vapes should not be so easily bought since it is such a dangerous thing. The prices need to be higher to prevent kids from buying and reselling.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Isabelle Collier
Wailuku, HI 96793

FIN-Jo

From: jill.stensrud@everyactioncustom.com on behalf of Jill Stensrud
<jill.stensrud@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 9:39 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Jill Stensrud
Kapolei, HI 96707

FIN-Jo

From: davidcao@everyactioncustom.com on behalf of David Cao
<davidcao@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 9:33 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

My name is David Cao and I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. I learned recently that teachers at a local elementary school had to confiscate ESD cartridges from students who were caught using ESDs before school and during recess. I was surprised that children have access to these devices and are using them regularly with seemingly no oversight from their parents. It sets a dangerous precedent for future use of other tobacco products and a lifetime of addiction.

ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
David Cao
Hilo, HI 96720

FIN-Jo

From: jdra6@everyactioncustom.com on behalf of Justin Allagonez <jdra6@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:59 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Justin Allagonez
Keaau, HI 96749

FIN-Jo

From: mcidera@everyactioncustom.com on behalf of Marie Cidera
<mcidera@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:58 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Marie Cidera
Hilo, HI 96720

FIN-Jo

From: colettenurse@everyactioncustom.com on behalf of Colette Oshiro
<colettenurse@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:51 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Colette Oshiro
Kailua, HI 96734

FIN-Jo

From: colettenurse@everyactioncustom.com on behalf of Colette Oshiro
<colettenurse@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:50 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Colette Oshiro
Kailua, HI 96734

FIN-Jo

From: rcmcmill@everyactioncustom.com on behalf of Ryan McMillan
<rcmcmill@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:49 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Ryan McMillan
Hilo, HI 96720

FIN-Jo

From: nlovesy@everyactioncustom.com on behalf of Noelle Lovesy
<nlovesy@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:48 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Noelle Lovesy
Hilo, HI 96720

From: bmih@everyactioncustom.com on behalf of Bryan Mih
<bmih@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:29 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

As a pediatrician in Honolulu and medical director of the Kapi'olani Smokefree Families Tobacco & Nicotine Cessation Program, I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids.

Electronic smoking devices (also known as vape 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.

E-cigarette use or vaping 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 significant public health gains made over the last decade. This is particularly concerning because e-cigarettes provide a new way to deliver highly addictive 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.

Without regulation, e-cigarette manufacturers will continue to aggressively market their products by using young adults and celebrities as endorsers, glamorizing its use, promoting deep discounts, and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple.

ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products.

Please do not let vaping continue to go unregulated in Hawai'i. Thank you for your consideration and support of SB1405 SD2 HD1.

Sincerely,

Bryan Mih, MD, MPH, FAAP

Sincerely,

Bryan Mih
Honolulu, HI 96822

FIN-Jo

From: msistoza@everyactioncustom.com on behalf of Maysyvelle Sistoza
<msistoza@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:18 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Maysyvelle Sistoza
Hilo, HI 96720

FIN-Jo

From: atrinh3@everyactioncustom.com on behalf of Alan Trinh <atrinh3@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 8:09 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Alan Trinh
Hilo, HI 96720

FIN-Jo

From: niloofar@everyactioncustom.com on behalf of Niloofar soltanipour
<niloofar@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 7:43 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Niloofar soltanipour
Hilo, HI 96720

FIN-Jo

From: ksalvill@everyactioncustom.com on behalf of Keisha Salvilla
<ksalvill@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 7:32 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Keisha Salvilla
Hilo, HI 96720

FIN-Jo

From: cricketlachica@everyactioncustom.com on behalf of Christopher La Chica
<cricketlachica@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 7:22 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Christopher La Chica
Mililani, HI 96789

FIN-Jo

From: mendezj@everyactioncustom.com on behalf of Javier Mendez Mendez
<mendezj@everyactioncustom.com>
Sent: Tuesday, April 2, 2019 6:48 PM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Javier Mendez Mendez
Honolulu, HI 96817

FIN-Jo

From: shelly.ogata@everyactioncustom.com on behalf of Shelly Ogata
<shelly.ogata@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 10:41 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Shelly Ogata
Hilo, HI 96720

From: sbrandli@everyactioncustom.com on behalf of Stephanie Brandli
<sbrandli@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 9:48 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Stephanie Brandli
Honolulu, HI 96822

From: mrahmer@everyactioncustom.com on behalf of Mealani Rahmer
<mrahmer@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 9:14 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Mealani Rahmer
Pahoa, HI 96778

From: richnehring@everyactioncustom.com on behalf of Rich Nehring
<richnehring@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 8:51 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Rich Nehring
Waikoloa, HI 96738

From: brian.wu@everyactioncustom.com on behalf of Brian Wu
<brian.wu@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 8:42 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Brian Wu
Honolulu, HI 96819

From: jsong4@everyactioncustom.com on behalf of Jessica Song <jsong4@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 8:39 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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The Honorable Sylvia Luke, Chair
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Members of the House Committee on Finance

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Jessica Song
Hilo, HI 96720

From: kelbe789@everyactioncustom.com on behalf of Kelli Buenconsejo <kelbe789@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 8:11 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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The Honorable Sylvia Luke, Chair
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Members of the House Committee on Finance

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Kelli Buenconsejo, RN BSN

Sincerely,
Kelli Buenconsejo
Wahiawa, HI 96786

From: cekmyim@everyactioncustom.com on behalf of Christopher Yim
<cekmyim@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 8:09 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Christopher Yim
Honolulu, HI 96822

From: brookelz@everyactioncustom.com on behalf of Brooke Zarriello
<brookelz@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 10:02 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Brooke Zarriello
Hilo, HI 96720

From: melaniekim8082@everyactioncustom.com on behalf of Melanie Kim
<melaniekim8082@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 10:01 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Melanie Kim
Honolulu, HI 96825

From: ps2128@everyactioncustom.com on behalf of Patricia Stevens <ps2128@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 7:50 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Patricia Stevens
Hilo, HI 96720

From: pualei.kaohelaulii@everyactioncustom.com on behalf of Pualei Kaohelaulii
<pualei.kaohelaulii@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 7:49 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Pualei Kaohelaulii
Kekaha, HI 96752

From: jeanmorris808@everyactioncustom.com on behalf of Jean Morris <jeanmorris808@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 7:07 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Jean Morris
Lihue, HI 96766

From: lisa.kakiuchi-gima@everyactioncustom.com on behalf of Lisa Kakiuchi-Gima
<lisa.kakiuchi-gima@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 7:00 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Lisa Kakiuchi-Gima
Kahului, HI 96732

From: Sarah_singh@everyactioncustom.com on behalf of Sarah Singh
<Sarah_singh@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 6:41 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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Aloha, my name is Sarah and I am in the 9th grade at Kauai High School. I also play basketball at Kauai High School.

This bill is important to me because as a student at Kauai High School there are many students vaping and it isn't right. Sometimes I am in a classroom and people vape secretly and I start to feel nauseous and also unsafe.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Sarah Singh
Lihue, HI 96766

finance8 - Joy

From: paige.e.sakai@everyactioncustom.com on behalf of Paige Sakai
<paige.e.sakai@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 6:34 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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Aloha, my name is Paige Sakai and I am a 9th grader at Kauai High School. I also am an honor roll student and a part of a few sports, paddling and tennis. I also take part in Key Club and Japanese Club.

I know someone dear to me that has gotten addicted. she almost took her life because she thought it would make her feel better. Do you REALLY care about our mental health? what do you want the future to be?

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Paige Sakai
Lihue, HI 96766

4/2/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

This is a no-brainer. I am a former California health department employee trained in nicotine addiction and tobacco cessation.

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Dennis Barger
Kihei, HI 96753

4/2/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee. Actually they should just be banned!

Mahalo,
Patricia Blair
Kailua, HI 96734

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Kelli Buenconsejo, RN BSN
Wahiawa, HI 96786

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

My name is David Cao and I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. I learned recently that teachers at a local elementary school had to confiscate ESD cartridges from students who were caught using ESDs before school and during recess. I was surprised that children have access to these devices and are using them regularly with seemingly no oversight from their parents. It sets a dangerous precedent for future use of other tobacco products and a lifetime of addiction.

ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
David Cao
Hilo, HI 96720

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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Many high schoolers have jobs and many vapes do not cost very much. It is extremely easy for a kid to find 40 dollars to buy a vape. Other kids sell them for even less! If they were expensive like box mods kids would not be able to just buy them and resell them. Vapes should not be so easily bought since it is such a dangerous thing. The prices need to be higher to prevent kids from buying and reselling.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Isabelle Collier
Wailuku, HI 96793

4/3/2019

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Aloha, my name is Khloe and I am a 9th grader at Kauai High School. I am taking this position because to the youth that is using a ESD product they should be informed by the health consequences. Also, to the youngins that will probably be lured in from others, we should inform elementary schools about the risks and dangers. Put a stop to this now before it gets too late.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Khloe Hernandez
Lihue, HI 96766

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Gail Kim
Mililani, HI 96789

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

The Honorable Sylvia Luke, Chair
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Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

As a pediatrician, I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Mae Kyono
Honolulu, HI 96826

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

The Honorable Sylvia Luke, Chair
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Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

As a pediatrician in Honolulu and medical director of the Kapi'olani Smokefree Families Tobacco & Nicotine Cessation Program, I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids.

Electronic smoking devices (also known as vape 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.

E-cigarette use or vaping 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 significant public health gains made over the last decade. This is particularly concerning because e-cigarettes provide a new way to deliver highly addictive 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.

Without regulation, e-cigarette manufacturers will continue to aggressively market their products by using young adults and celebrities as endorsers, glamorizing its use, promoting deep discounts, and offering popular local e-liquid flavors such as Kona coffee, Maui mango, and pineapple.

ESDs are the only tobacco product without a tobacco tax and increasing the price is a proven strategy that discourages access to these products.

Please do not let vaping continue to go unregulated in Hawai'i. Thank you for your consideration and support of SB1405 SD2 HD1.

Sincerely,
Bryan Mih, MD, MPH, FAAP
Honolulu, HI 96822

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

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Aloha, my name is Paige Sakai and I am a 9th grader at Kauai High School. I also am an honor roll student and a part of a few sports, paddling and tennis. I also take part in Key Club and Japanese Club.

I know someone dear to me that has gotten addicted. she almost took her life because she thought it would make her feel better. Do you REALLY care about our mental health? what do you want the future to be?

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Paige Sakai
Lihue, HI 96766

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

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Aloha, my name is Sarah and I am in the 9th grade at Kauai High School. I also play basketball at Kauai High School.

This bill is important to me because as a student at Kauai High School there are many students vaping and it isn't right. Sometimes I am in a classroom and people vape secretly and I start to feel nauseous and also unsafe.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Sarah Singh
Lihue, HI 96766

4/3/2019

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Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. Hawaii has one of the highest rates of flavored electronic device use among teens, including middle-schooler, in the nation. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. This method was extremely effective in cutting down on youth cigarette smoking in the 1980's and 1990's. Like those efforts, a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

We owe our children, and all citizens, strong efforts on many fronts to attack and reverse the epidemic of ESD use, which is rapidly addicting new users because of the extremely high nicotine concentrations in the vaping liquids.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Linda Weiner MD
Pediatrics
Kauai

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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Aloha, my name is Adin Williams and I am in the 9th grade at Kauai High School. I also dance at KUGA which is a dance studio supporting a drug and suicide free Kauai.

I support the prohibit of shipment of any e-liquid products. Since we are n the little island of Kauai it is difficult for people to get ESD products so they order them. it is also easy for underage people to order ESD products under a fake ID.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Adin Williams
Kalaheo, HI 96741

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Justin Allagonez
Keaau, HI 96749

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Judith Beaver
Hilo, HI 96720

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Stephanie Brandli
Honolulu, HI 96822

4/2/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Kevin Cassel
Honolulu, HI 96822

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Marie Cidera
Hilo, HI 96720

4/2/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Alysha Cosier
Pahoa, HI 96778

4/2/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Wilson Datario
Pepeekeo, HI 96783

4/2/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Christine Davis
Kihei, HI 96753

4/2/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Tara-Ann Dumlao
Aiea, HI 96701

4/2/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Robyn Hart
Hilo, HI 96720

4/2/2019

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I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Tenaya Jackman
Honolulu, HI 96815

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

To the House Committee on Finance

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Lisa Kakiuchi-Gima
Kahului, HI 96732

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Pualei Kaohelauii
Kekaha, HI 96752

4/3/2019

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Mahalo,
Melanie Kim
Honolulu, HI 96825

4/3/2019

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Mahalo,
Christopher La Chica
Mililani, HI 96789

4/2/2019

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Mahalo,
Jane Lakritz
Hilo, HI 96720

4/2/2019

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Mahalo,
Mark Levin
Honolulu, HI 96822

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Noelle Lovesy
Hilo, HI 96720

4/3/2019

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Mahalo,
Ryan McMillan
Hilo, HI 96720

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Javier Mendez Mendez
Honolulu, HI 96817

4/3/2019

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Mahalo,
Jean Morris
Lihue, HI 96766

4/2/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Hojung Nam
Kihei, HI 96753

4/3/2019

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Mahalo,
Rich Nehring
Waikoloa, HI 96738

4/2/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Barbara Nosaka
Honolulu, HI 96822

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Shelly Ogata
Hilo, HI 96720

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Colette Oshiro
Kailua, HI 96734

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Shilpa Patel
Honolulu, HI 96822

4/2/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Tyler Peterson
Hilo, HI 96720

4/3/2019

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Mahalo,
Mealani Rahmer
Pahoa, HI 96778

4/3/2019

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Mahalo,
Keisha Salvilla
Hilo, HI 96720

4/2/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Anne Scharnhorst
Wailuku, HI 96732

4/2/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Diana M Shaw
Lanai City, HI 96763

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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Mahalo,
Maysyvelle Sistoza
Hilo, HI 96720

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Niloofar soltanipour
Hilo, HI 96720

4/3/2019

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To the House Committee on Finance

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Jessica Song
Hilo, HI 96720

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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Mahalo,
Jill Stensrud
Kapolei, HI 96707

4/3/2019

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Mahalo,
Patricia Stevens
Hilo, HI 96720

4/2/2019

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Mahalo,
Ludvina Takahashi
Lihue, HI 96766

4/3/2019

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Mahalo,
Alan Trinh
Hilo, HI 96720

4/3/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Brian Wu
Honolulu, HI 96819

4/2/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Vince Yamashiroya
Honolulu, HI 96814

4/2/2019

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Cassiopia Yamashita
Wailuku, HI 96793

4/2/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
James Yee
Honolulu, HI 96821

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Christopher Yim
Honolulu, HI 96822

4/3/2019

RE: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

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I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Mahalo,
Brooke Zarriello
Hilo, HI 96720

SB-1405-HD-1

Submitted on: 4/3/2019 12:00:42 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
jason graham	Individual	Oppose	No

Comments:

I oppose this bill, the fact that you believe any facility is illegally shipping products is wrong. Secondly the fact of taking away freedom of selection from adults is not right. The only thing with this bill is to find additional ways to tax small businesses in Hawaii. Proper parenting and current law enforcement is the way to go.

FIN-Jo

From: papanikolaoupeds@everyactioncustom.com on behalf of Irene Papaconstadopoulos
<papanikolaoupeds@everyactioncustom.com>
Sent: Wednesday, April 3, 2019 11:58 AM
To: FINtestimony
Subject: Strong Support of SB1405 SD2 HD1, Relating to Electronic Smoking Products

Dear House Committee on Finance,

The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice Chair
Members of the House Committee on Finance

Hrg: April 3, 2019 at 2:30 PM at Capitol Room 308

I am a Board Certified Pediatrician practicing in Maui, HI and I strongly support SB1405 SD2 HD1, which would regulate electronic smoking devices (ESDs) and e-liquids as tobacco products through taxation, online shipment restrictions, and licensing and permitting. In addition, it also appropriates \$200,000 to the tobacco prevention, control, and research.

State lawmakers have been trying to regulate ESDs for the last five years. Hawai'i is in the midst of a youth vaping epidemic, and we must regulate these products to reverse this trend. ESDs are the only tobacco products without a tobacco tax and sellers are not required to obtain a tobacco permit and license to sell. Tobacco taxes and increasing the price is a proven strategy that discourages use of these products, especially among youth. I appreciate that a portion of revenues generated from this tax will be dedicated to tobacco prevention, cessation, education programs, which will help with ESD prevention efforts and support individuals who want to quit. In addition, restricting online sales to retailers with a tobacco license will prevent sales to underage youth.

I strongly support SB1405 SD2 HD1 and ask you to pass this out of committee.

Sincerely,
Irene Papaconstadopoulos
Kahului, HI 96732

SB-1405-HD-1

Submitted on: 4/3/2019 12:54:12 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kanani Wond	Individual	Support	No

Comments:

I support SB1405 SD2 HD1

The shipping and distribution of electronic cigarette devices and products into Hawaii need to be regulated and taxed.

Mahalo,

Kanani Wond

808-392-8407

usfiveguys@gmail.com

SB-1405-HD-1

Submitted on: 4/3/2019 1:32:05 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Takitani Leahey	Individual	Support	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 1:40:44 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacob Robinson	Irie Hawaii	Oppose	No

Comments:

SB-1405-HD-1

Submitted on: 4/3/2019 1:48:51 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keanu Esser	Irie hawaii	Oppose	No

Comments:

I think vaping should be as easy as possible beacuse it's a personal liberty to do what we please as long as it's not hurting others.



Wellness & Lifestyle Medicine

Wellness & Lifestyle Medicine Center
642 'Ulukahiki Street, Suite 105
Kailua, Hawai'i 96734-4498
Tel: 808.263.5050
Fax: 808.263.5054
AdventistHealthCastle.org

Date: March 19, 2019

To: The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

Re: **Strong Support for SB 1405**, relating to Electronic Smoking Products
Hrg: April 3, 2019 at 2:30pm

Adventist Health Castle, is in **Strong Support of SB 1405** which imposes a tax on e-liquid, including disposable electronic smoking devices (ESDs) containing e-liquid, dedicates a portion of the revenue to tobacco prevention and control efforts, requires wholesalers and retailers to obtain a license and retail tobacco permit, and restricts the shipment of tobacco products to anyone other than a licensee.

As a Tobacco Treatment Specialist for Castle's Live Well Tobacco Free Program, my position is funded by the Hawaii Community Foundation Tobacco Prevention & Control Trust Fund. I often encounter patients who are suffering greatly from the consequences of their addiction to nicotine. They've lost hope that they could ever quit. Many compare their e-cigarette addiction to being a slave. I have the privilege of being there to offer them hope when they see none, and a way out. This includes helping young adults begin their journey to a vape-free life with the goal of gaining back their freedom from nicotine addiction.

With the increased prevalence of people in Hawaii using electronic cigarettes, many young adults tell me they want to quit vaping, but have struggled to do it alone, not knowing that they can freely access services and support from a tobacco treatment specialist, such as myself. When they do find out about our free resources, they have renewed hope. We even help pregnant moms who want to quit smoking. With our funding we are able to incentivize them with free diaper vouchers. Even their household members are encouraged to quit with them. When someone quits vaping, it changes their whole life and the lives of their loved ones, and in turn, impacts the entire community. This measure will absolutely benefit Hawaii's public health as more young adults are supported to quit e-cigarettes or to not even start.

Thank you for the opportunity to testify. We strongly support SB 1405 and respectfully ask you to pass this measure.

Mahalo nui loa,

A handwritten signature in black ink, appearing to read "Allie Hall", with a long horizontal flourish extending to the right.

Allie Hall, RN, MPH, NCTTP
Program Coordinator, Tobacco Control
Tobacco Treatment Specialist

SB-1405-HD-1

Submitted on: 4/2/2019 4:28:36 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
VALENTINO MIRANDA-KEPA	Individual	Oppose	No

Comments:

Aloha Board,

I strongly oppose bill SB1009. This bill is written to protect under age vaping but hurt all the people that vape helped quit traditional cigarette. It's a move in the wrong direction I've tried quitting cigarette's a few time's with your traditional gum, patches, pills and even hypnotism and only thing work for me is VAPE. After smoking for 15 years I am now free of cigarette PLEASE DON'T TAKE THIS AWAY FROM ME. And under age vaping could be controlled with a possession law like alcohol.

With Aloha, Valentino Miranda-Kepa

SB-1405-HD-1

Submitted on: 4/3/2019 3:04:03 PM

Testimony for FIN on 4/3/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Nakatsukasa	Individual	Oppose	No

Comments:

The premise behind SB1405 is painfully flawed and should be opposed. The legislature is 100% on the wrong side of this issue. E-cigarettes and vaping should be wholeheartedly encouraged instead of being demonized. E-cigarettes advance public health in Hawaii, not hurt it. E-cigarettes are the good ones; the bad ones are the traditional combustible cigarettes. Despite the similar names, they couldn't be more different. Do not tax e-cigarettes. On the contrary, allow them to have a price advantage over cigarettes in order to encourage adoption of these lifesaving products.

Based on the incorrect statements in SB1405, it's clear the bill's authors are ignorant, or intentionally providing misleading claims.

For example, the bill misleads by stating "ingestion of e-liquids containing nicotine can cause acute toxicity and possibly death". However, e-liquids are vaporized, then vaped, not ingested. Any product intended for adult use, whether they be medicine, alcohol or even household cleaners, could result in toxicity and death if not properly used. But we don't assess additional taxes on aspirin or bleach.

An outrageous claim in the bill states "tobacco products other than cigarettes are currently taxed at a lower rate than cigarettes, even though their use carries similar health risks." Such madness. E-cigarettes don't even contain tobacco. The only link they have to cigarettes is they both contain nicotine, which is principally harvested from the tobacco plant. Notwithstanding that point, while cigarettes create tar and carcinogens from burning tobacco leaves, there is none of that with e-cigarettes. It's well known that people "smoke for the nicotine, but die from the tar". E-cigarettes have been proven to be 95% to 98% less harmful than cigarettes. The United Kingdom endorses e-cigarettes as a smoking cessation tool. No one gets cancer, stroke and heart disease from e-cigarettes. That's only the case in poorly conceived bills and discredited reports.

The bill's underlying logic is defective. It states "the legislature is concerned that as the price of cigarettes increases, smokers may purchase less expensive tobacco products, such as electronic smoking devices or e-liquids" and "Imposing a tax on e-liquids and electronic smoking devices containing e-liquid will also encourage users of e-liquids to quit, sustain cessation, prevent youth initiation, and reduce consumption among those who continue to use them." This is so backwards. We want smokers to switch to e-cigarettes, and we don't want to encourage smokers to return to cigarettes. Making e-cigarettes as expensive as cigarettes takes away a strong incentive for smokers to switch. By drawing no distinction between the dangers of smoking (bad) and vaping (good), you do no favors for smokers' health and lives.

Like any age-restricted product, efforts to prevent youth access to e-cigarettes should focus on education, enforcement and laws to discourage the purchase, possession and use of these products by minors. For example, additional measures could include stepped-up retailer ID check audits, limits on bulk purchases and stronger consequences for those participating in "social access", where most youth obtain age-restricted products like e-cigarettes or alcohol from adults age 21 and over.