

Honolulu, Hawaii

FEB 14

, 2020

RE: H.B. No. 2348
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred H.B. No. 2348, H.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this measure is to establish a schedule of
penalties for holders of retail tobacco permits and persons
registered to sell electronic smoking devices, and their
employees, who illegally sell tobacco products and electronic
smoking devices to persons under twenty-one years of age.

Your Committees received testimony in support of this measure
from Department of Health, Hawaii Primary Care Association, Hawaii
Pacific Health, Hawaii Substance Abuse Coalition, Pearl City
Neighborhood Board, Kahoomiki, Coalition for a Tobacco-Free
Hawaii, Hawaii Petroleum Marketers Association, Hawaii Community
Foundation, Blue Zones Project, Keiki Injury Prevention Coalition,
and eight individuals. Your Committees received testimony in
opposition to this measure from Irie Hawaii Waimea, Hawaii Smokers
Alliance, and numerous individuals. Your Committees received
comments on this measure from American Heart Association and
Hawaii Food Industry Association.

Your Committees find that tobacco use is the leading cause of
preventable disease and death in the United States. Use of



electronic smoking devices, including electronic cigarettes, has become a national public health concern, with electronic cigarettes now the most popularly used tobacco product among youth and young adults. To address this staggering issue, your Committees find it necessary to establish clear legal responsibilities and strong deterrents for retailers, permittees, and registrants that sell tobacco products to persons under twenty-one years of age. The penalties proposed in this measure, which gradually increase to include the suspension of a license, provide meaningful deterrents for noncompliance by retailers, permittees, and registrants with tobacco and electronic smoking device sales laws and emphasize employee training and education to reduce youth access to tobacco products.

Your Committees have amended this measure by:

- (1) Inserting a definition for "e-liquid"; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2348, H.D. 1, as amended herein, and recommend that it be referred to your Committee on Finance, in the form attached hereto as H.B. No. 2348, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



CHRIS LEE, Chair



ROY M. TAKUMI, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 2398, HD	Committee Referral: HLT, CPC(JUD), FIN	Date: 2/12/20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. ICHIYAMA, Linda (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. BELATTI, Della Au	✓			
5. CABANILLA ARAKAWA, Rida				✓
6. CACHOLA, Romy M.		/		
7. HAR, Sharon E.	✓			
8. KONG, Sam Satoru	✓			
9. MIZUNO, John M.	✓			
10. ONISHI, Richard H.K.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	9	1	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Linda Ichijane</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

State of Hawaii
House of Representatives
The THIRTIETH Legislature **HSCR 508-20**

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 2348 HD1	Committee Referral: HLT, CPC/JUD, FIN	Date: 2/12/2020		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. NAKASHIMA, Mark M.	/			
8. PERRUSO, Amy A.	/			
9. SAY, Calvin K.Y.		/		
10. TAKAYAMA, Gregg	/			
11. YAMANE, Ryan I.	/			
12. THIELEN, Cynthia	/			
TOTAL (12)	11	1	0	
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				