



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

LATE

**Testimony in SUPPORT of S.B. 2902
RELATING TO TOBACCO PRODUCTS**

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH
Hearing Date: February 13, 2020 Room Number: 229

- 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 2902 (S.B. 2902) as a measure to
- 5 protect the public's health, especially youth, from the harmful effects of tobacco use and
- 6 initiation. Youth are price sensitive, and in Hawaii increasing the price of cigarettes through
- 7 taxation has contributed to the reduction of smoking by high school students, from 28% in 2000
- 8 to 8% in 2017, a reduction of 71%.^{1,2} Hawaii does not tax electronic smoking devices (ESDs)
- 9 like other tobacco products, and often ESDs can be purchased at lower costs than cigarettes. The
- 10 low cost, pairing of flavors and nicotine, and technological appeal, has overturned the youth
- 11 tobacco prevention efforts in Hawaii.³ By 2017, the high school ESD use rate was the second
- 12 highest in the nation at 25%, and middle school use the highest at 16%.⁴ Other states are
- 13 responding to the increase in youth ESD through pricing, and to date 21 states and the District of

¹ Pesko, M. F., Huang, J., Johnston, L. D., & Chaloupka, F. J. (2018). E-cigarette price sensitivity among middle- and high-school students: evidence from monitoring the future. *Addiction (Abingdon, England)*, 113(5), 896–906. [doi:10.1111/add.14119](https://doi.org/10.1111/add.14119) [retrieved 2-12-2020]

² Holmes JR, Ching LK, Cheng D, Johnson L, Yap, L, Starr RR and Irvin, L. 2018. Tobacco Landscape, Honolulu, Hawaii State Department of Health, Chronic Disease Prevention and Health Promotion Division.

³ Barrington-Trimis JL, and Leventhal AM. Adolescents' Use of "Pod Mod" E-Cigarettes — Urgent Concerns. *NEJM* 2018; 379:1099-1102. [DOI: 10.1056/NEJMp1805758](https://doi.org/10.1056/NEJMp1805758). [retrieved 2-12-2020]

⁴ Hawaii Health Data Warehouse, Hawaii Youth Risk Behavior Survey, 2017.

1 Columbia have enacted ESD taxation laws, and annual tax revenues range from one to ten
2 million dollars.⁵

3 Since the U.S. Food and Drug Administration (FDA) and Surgeon General declaration
4 of the unprecedented youth e-cigarette epidemic in the fall of 2018, youth use continues to rise.
5 By 2019, 27.5% of high school students said they vaped compared to 20.8% in 2018.⁶ In total
6 numbers, 4.1 million high school youth and 1.2 million middle school youth said they currently
7 use e-cigarettes.⁷ Youth who use e-cigarettes have been casualties in the outbreak of e-
8 cigarette, or vaping, product use associated lung injury (EVALI) nationwide, and nationally by
9 February 4, 2020 resulted in 2,758 confirmed hospitalizations and 64 deaths with more deaths
10 under investigation. Of the confirmed EVALI cases, 15% were under 18 years and 37% were
11 18 to 24 years of age.⁸

12 The need for state action to protect youth from the promotion of ESDs is imperative. On
13 January 2, 2020, the U.S. FDA announced the agency was prioritizing the enforcement of their
14 existing authority only on flavored cartridge based ESDs products. This limited enforcement
15 excludes menthol, disposable, tank system, and refillable devices. All of the ESD products on
16 sale today are considered pre-market, that is, these are being sold with no prior FDA testing and
17 approval. This limited enforcement does not do enough to protect youth since they report using
18 a variety of ESD products including refillable devices.⁹ Moreover, according to a national
19 study reported in the American Journal of Preventive Medicine, nearly half of youth smokers
20 (42%) initiated with a menthol product¹⁰ indicating that the federal mandate exempts products

⁵ <https://www.ncsl.org/research/fiscal-policy/electronic-cigarette-taxation.aspx> [retrieved 2-12-2020]

⁶ Wang TW, Gentzke AS, Creamer MR, et al. Tobacco Product Use and Associated Factors Among Middle and High School Students — United States, 2019. *MMWR Surveill Summ* 2019;68(No. SS-12):1–22. DOI: <http://dx.doi.org/10.15585/mmwr.ss6812a1>

⁷ Ibid.

⁸ Centers for Disease Control and Prevention, Office on Smoking and Health. Outbreak of Lung Injury Associated with the Use of E-cigarette, or Vaping, Products, retrieved February 12, 2020 from https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html#latest-outbreak-information

⁹ Cullen KA, Gentzke AS, Sawdey MD, et al. e-Cigarette Use Among Youth in the United States, 2019. *JAMA*. Published online November 05, 2019. doi:10.1001/jama.2019.18387: <https://jamanetwork.com/journals/jama/fullarticle/2755265>

¹⁰ Cohn, A. M., Rose, S. W., Dsilva, J., & Villanti, A. C. (2019). Menthol Smoking Patterns and Smoking Perceptions Among Youth: Findings From the Population Assessment of Tobacco and Health Study. *American Journal of Preventive Medicine*, 56(4). doi: 10.1016/j.amepre.2018.11.027

1 that remain highly enticing to youth. States have an opportunity to act to address these gaps in
2 policy.

3 The federal administration raised the national legal age of sale of all tobacco products,
4 including ESDs, from 18 to 21 years of age. While such legislation is meant to prevent youth
5 access and initiation of tobacco, the acceleration of unregulated online tobacco product sales has
6 created a dangerous loophole, by providing an appealing option for underage smokers. In the
7 current unregulated online market, youth easily, and often, circumvent the age verification
8 process for purchasing tobacco. According to the Internet Tobacco Vendors Study (ITV),
9 supported by the National Cancer Institute and the United States Food and Drug Administration
10 (USFDA) Center for Tobacco Products, minors were successful in buying ESDs online 93% of
11 the time despite age restrictions. Another study found that ESDs were often shipped from
12 internet vendors without instructions or health warnings. Due to the easy access for minors
13 through online marketing, public health researchers recommend more vigorous policies to
14 prohibit sales to minors.^{11,12}

15 The DOH supports S.B. 2902 as a strong and comprehensive measure that addresses the
16 key regulatory components that can reduce access to ESDs among Hawaii's youth and young
17 adults and encourage users to quit.

18 Thank you for the opportunity to testify.

19 **Offered Amendments:** The DOH offers suggested clarifying amendments for a Senate Draft 1
20 as an attachment and provides the following explanation of the changes:

21 - Section 2, beginning page 6 line 16, to page 7 line 22, replace the term "person" in subsections
22 (a) through (f) of the bill with the phrase "person or entity" so the subsections read as follows:

¹¹ 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.

¹² 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 (a) A person or entity commits the offense of
2 unlawful shipment of tobacco products if the person or
3 entity:

4 * * *

5 (f) Notwithstanding the existence of other remedies
6 at law, any person or entity that purchases, uses,
7 controls, or possesses any tobacco products for which
8 the applicable taxes imposed under title 14 have not
9 been paid, shall be liable for the applicable taxes,
10 plus any penalty and interest as provided for by law.

11 - Subsection (b)(1), page 7, lines 3 to 6, delete reference to HRS section 245-62 from the new
12 offense of unlawful shipment of tobacco products.

13 - Page 9, line 1 remove strikethrough from, “electronic.”



American Heart Association testimony in SUPPORT of SB 2902 Relating to Tobacco Products

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The American Heart Association supports SB 2902 which makes unlawful shipment of E-liquid products to anyone other than a licensee or permittee, includes e-liquid and electronic smoking devices within the definition of “tobacco products” in existing cigarette tax and tobacco tax state law, requires that wholesalers and retailers of electronic smoking devices obtain a tobacco license/permit, and increases the license fee for wholesalers or dealers and the retail tobacco permit fee.

The original version of this bill also stated its purpose is to “fund health education and [tobacco] prevention programs about the risks of the use of electronic smoking devices for youth, but failed to define an amount or a source of that funding. We suggest that any new revenue generated by the additional tax on electronic smoking devices be allocated to augment tobacco prevention, control and cessation programs to better offset the tobacco industry’s exhorbinant marketing expenditures aimed at addicting a new generation to its products.

Hawaii is in the midst of a youth epidemic concerning the use of electronic smoking devices. As stated in the bill’s preface, Hawaii has the highest rate of middle school-aged student use of those products in the nation, and the second highest high school student usage rate.

Even though there is more work needed to fully understand all the dangers of e-cigarettes, there’s plenty of evidence they’re harmful for growing minds and bodies.

The American Heart Association is working to combat this problem the same way we have battled health problems for nearly a century: We’re relying on the science.

That’s why we are funding \$20 million of new research to understand how vaping and nicotine affect the still growing hearts, brains, lungs and blood vessels of young people. This is important because there are few studies in this area.

Here’s a look at the latest science about vaping and nicotine, as well what science hasn’t uncovered yet.

Safety of vaping vs. cigarettes

One of the most basic things people want to know is whether vaping is better for you than cigarettes. It’s easy to jump to the conclusion that vaping is better. After all, there is no mystery about smoking: It can kill you.

The problem is, no one knows if vaping is safe in the long run because e-cigarettes haven't been around long enough to be studied deeply. Some diseases can take years and even decades to develop, including cancer and atherosclerosis (artery blockages that can cause heart attacks and strokes).

Another reason it's difficult to study vaping is that people switch back and forth between smoking, vaping and not using either. We can see short-term effects in animals exposed to one or another, but understanding long-term effects requires long-term studies.

In addition to a lack of sufficient research, some contents of e-cigarettes remain unknown. The Food and Drug Administration – responsible for judging the safety of things Americans put into their bodies – has not yet evaluated these products for safety.

We do know that the lines between the vaping industry and Big Tobacco have blurred. Altria, the maker of Marlboro and Skoal, has invested more than \$12 billion into Juul, which makes e-cigarettes that are extremely popular with young people. The investment is 35% of Juul's value.

Big Tobacco has a history of misrepresenting facts about nicotine and smoking. So vaping-safety claims from industry or research supported by industry should be met with skepticism. For example, there's the claim that vaping produces only water "vapor" or aerosols – which sound far healthier than cigarette smoke. But there is a lot more than water in that aerosol.

The aerosols actually contain multiple chemicals known to be toxic. Some aerosols contain heavy metals and other toxic ingredients (like the volatile organic compounds you try to avoid in some house paint).

Some of the flavors designed to make e-cigarettes more attractive to children have been shown to harm lung tissue, heart muscle cells, the lining cells of blood vessels, and the cells we need for blood clotting after injury.

These studies have been done in cells from human volunteers, and in some cases, the functions of these cells have been studied in volunteers after they vape.

Even the chemicals used to deliver the aerosol (like propylene glycol or glycerol) can be toxic, as can the heavy metals often produced by these delivery systems themselves. And remember, aerosols are inhaled deep into the lungs, where their effects may be long-lasting.

E-cigarettes as tools to quit smoking

The idea that vaping is a better way to quit cigarettes than reliable methods using FDA-approved nicotine replacement products isn't backed up by the weight of science.

Of the small number of studies about this, most show no advantage for e-cigarettes over the temporary use of FDA-approved products such as gum, lozenges and patches. The

latter products have been proven helpful as part of an overall program for quitting, which should also include counselling and can include medications to reduce cravings.

One study frequently cited by industry and its supporters did show e-cigarettes to be effective in stopping smoking. However, as is often the case with science, that part of the study's results doesn't tell the whole story.

The study, published in The New England Journal of Medicine, was conducted in England. That's significant because the e-cigarettes in England are far different from those in the U.S. English products have much lower levels of nicotine, and physicians there actually encourage their use to quit smoking.

Two reports from Public Health England are often referenced for stating "e-cigarettes are less harmful than combustible cigarettes." But those studies did not compare e-cigarette use to zero-nicotine exposure. And, those reports rely on small studies or reviews sponsored by organizations supported by Big Tobacco.

Some U.S. smokers have used e-cigarettes to quit, but a growing body of studies shows that approach doesn't work for many people. They cut back, but they still smoke while vaping and they remain addicted. That's called "dual use" in public health literature. The dangers of cigarettes remain, with the added dangers of vaping.

Unfortunately, dual use is a major problem among young people. Dual use also is something the American Heart Association is working to address through our massive new initiative combatting youth vaping called #QuitLying. Research shows some kids who had never smoked but began their exposure to nicotine by vaping later switched to smoking or did both.

The Association advises anyone quitting smoking to get off nicotine products altogether, using FDA-approved tools proven to be effective. We also don't want anyone to ever start any nicotine-containing product.

The dangers of nicotine and the unknown

When discussing the dangers of e-cigarettes, many people think about the tragic outbreak of vaping-related deaths across the country. As an organization we are extremely concerned about this problem, which is still being investigated and has been linked to vaping THC well as using "off-brand" e-cigarette products.

But nicotine remains a major concern about e-cigarettes. They can contain unusually high levels of nicotine. One e-cigarette refill pod can contain as much nicotine as an entire pack of cigarettes and kids are sometimes vaping 2-4 pods a day. And open pod e-cigarette products popular among Hawaii youths can contain even much more nicotine.

That's especially troubling because many studies in animals show nicotine is a neurotoxin (a poison affecting the nervous system). It can affect brain development from early fetal life through adolescence, permanently changing the ability to think or reason.

The National Academies of Science, Engineering and Medicine and the World Health Organization believe nicotine delivery via e-cigarettes during pregnancy can adversely affect the development of the fetus, and can affect immune system and lung function.

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.

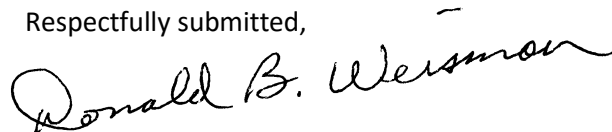
By adding e-liquid and electronic smoking devices within the definition of the state's "tobacco products" it would apply the tobacco tax to those products. This would have the greatest impact on reducing e-cigarette use rates among the youth market, which is more price sensitive, and which is the most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

According to the most recent Federal Trade Commission data, the tobacco industry spends an estimated \$25.5 million each year marketing its products in Hawaii. Hawaii's less than \$5 million investment in tobacco prevention, control and cessation programs last year pale in comparison, and falls 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 your strong support of SB 2902 with our suggested amendment as a means 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.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive style with a horizontal line above the name.

Donald B. Weisman
Hawaii Government Relations/Communications Director

DAVID Y. IGE
GOVERNOR
JOSH GREEN M.D.
LT. GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809
PHONE NO: (808) 587-1540
FAX NO: (808) 587-1560

RONA M. SUZUKI
DIRECTOR OF TAXATION
DAMIEN A. ELEFANTE
DEPUTY DIRECTOR

LATE

To: The Honorable Rosalyn H. Baker, Chair;
The Honorable Stanley Chang, Vice Chair;
and Members of the Senate Committee on Commerce, Consumer Protection, and Health

From: Rona M. Suzuki, Director
Department of Taxation

Re: **S.B. 2902, Relating to Tobacco Products**

Date: Thursday, February 13, 2020

Time: 9:30 A.M.

Place: Conference Room 229, State Capitol

The Department of Taxation (Department) supports S.B. 2902, an Administration measure. This measure makes multiple amendments to chapter 245, Hawaii Revised Statutes (HRS). These amendments will enable improved regulation of the sale of electronic smoking products. S.B. 2902 is effective January 1, 2021.

The Department appreciates the increase in license fees in section 245-2, HRS, and permit fees in section 245-2.5, HRS. In most cases, the current fee amount does not cover the cost to the State to issue the license.

The Department supports the other parts of this measure as well, but requests the following changes:

1. On page 11, line 1, the section number of the measure should be added (i.e., **SECTION 5.** Section 245-2.5, Hawaii Revised Statutes is amended ...)
2. It appears that the only amendment in Section 6 is the deletion of the word "and" on page 15, line 18. This "and" should not be deleted as it joins paragraph (5) to paragraph (6).
3. Clarify the definition of "electronic smoking device." As currently written, the definition includes "any ... component part" of a device. The Department notes that this definition is broader than existing law as it applies to tobacco. For example, devices such as tobacco pipes and hookahs, and the component parts needed to build a tobacco pipe or hookah, are not subject to the tobacco tax. The Department suggests excluding the electronic smoking devices (and parts) that do not contain e-liquid. This will create parity between tobacco and e-liquid.

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



American Cancer Society
Cancer Action Network
2370 Nu`uanu Avenue
Honolulu, Hawai`i 96817
808.432.9149
www.acscan.org

Senate Committee on Commerce, Consumer Protection, and Health
Senator Rosalyn Baker, Chair
Senator Stanley Chang, Vice Chair

SB 2902 – RELATING TO TOBACCO PRODUCTS

Cory Chun, Government Relations Director – Hawaii Pacific
American Cancer Society Cancer Action Network

Thank you for the opportunity to provide testimony in support of SB 2902, which establishes the unlawful shipment of tobacco products, applies the tax on other tobacco products to electronic smoking devices and e-liquids, increases the license and permit fees for wholesalers, dealers, and retailers engaged in the sale of tobacco products and allocates a portion of funds collected from excise taxes on tobacco products to tobacco control programs.

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 135% between 2017 and 2019.

The following statistics highlight the problem we are facing.

- In the United States, youth are more likely than adults to use e-cigarettes.
- In 2019, more than 5 million U.S. middle and high school students used e-cigarettes in the past 30 days, including 10.5% of middle school students and 27.5% of high school students.
- In 2017, 2.8% of U.S. adults were current e-cigarette users.
- In 2015, among adult e-cigarette users overall, 58.8% also were current regular cigarette smokers, 29.8% were former regular cigarette smokers, and 11.4% had never been regular cigarette smokers.
- Among current e-cigarette users aged 45 years and older in 2015, most were either current or former regular cigarette smokers, and 1.3% had never been cigarette smokers. In contrast, among current e-cigarette users aged 18–24 years, 40.0% had never been regular cigarette smokers.

Tobacco retail licensing is a policy tool that enables the state to regulate businesses that sell tobacco products to ensure they comply with tobacco laws by holding retailers accountable and actively enforcing tobacco youth access laws with strong retailer

penalties that include suspension and revocation for non-compliant retailers. Strong tobacco retail license laws are part of a comprehensive strategy to reduce tobacco use among youth and young adults. ACS CAN supports updating the state's licensing law and fees and we recommend revenues generated from the license fees be used for the active enforcement of tobacco control laws and support tax parity for all tobacco products.

Thank you for the opportunity to provide testimony on this important matter.



**Testimony to the Senate Committee on Commerce, Consumer Protection, and Health
Thursday, February 13, 2020; 9:30 a.m.
State Capitol, Conference Room 229**

RE: SENATE BILL NO. 2902, RELATING TO TOBACCO PRODUCTS.

Chair Baker, Vice Chair Chang, and Members of the Joint 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. 2902, RELATING TO TOBACCO PRODUCTS.

The bill, as received by your Committee, would:

- (1) Establish the offense of unlawful shipment of tobacco products;
- (2) Include e-liquid and electronic smoking devices within the definition of "tobacco products", in the cigarette tax and tobacco tax law;
- (3) Increase the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products;
- (4) Increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products;
- (5) Fund health education and prevention programs about the risks and dangers of the use of electronic smoking devices for youth; and
- (6) Repeal various statutory provisions relating to electronic smoking devices.

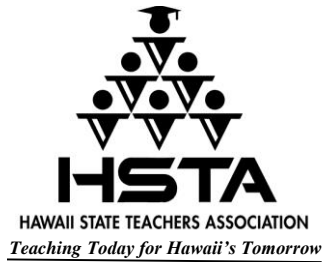
By way of background, the HPCA represents Hawaii Federally-Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of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

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.

Testimony on Senate Bill No. 2902
Thursday, February 13, 2020; 9:30 a.m.
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It is for this reason that the HPCA joins the American Cancer Society of Hawaii, the Hawaii Public Health Institute, and other advocates in strong support of all efforts to rid the marketplace of these products.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiiipca.net.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

LATE

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TESTIMONY BEFORE THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION, AND HEALTH

RE: SB 2902 - RELATING TO TOBACCO PRODUCTS

THURSDAY, FEBRUARY 13, 2020

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Baker and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 2902** that establishes the offense of unlawful shipment of tobacco products, includes e-liquid and electronic smoking devices within the definition of "tobacco products", as used 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, allocates a portion of funds collected from excise taxes on tobacco products to health education and prevention programs about the risks and dangers of the use of electronic smoking devices for youth, and repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices.

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 is a time of crucial brain development; it has been documented that nicotine exposure during adolescence and young adulthood can cause addiction and 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, flavorants such as diacetyl, a chemical linked to serious lung disease, volatile organic compounds, and heavy metals such as nickel, tin, and lead.

The electronic cigarette industry has gone largely unregulated for far too long and has therefore been able to market their products both directly and indirectly to our youth. It is time that regulation of the e-cigarette industry be on par with the regulation of traditional tobacco products. **Taxation of tobacco products is a proven strategy to reduce usage among youth; thus, this bill would help deter children from not only trying e-cigarettes but also from becoming habitual users of these products. Additionally, the allocation of a portion of this tax revenue to health and prevention programs will further educate our youth on the dangers of these products which will also help deter usage. Finally, prohibiting direct shipment of tobacco products will help ensure keiki aren't able to gain easy access to such products via online purchases.**

To help make electronic smoking devices and e-liquids more cost prohibitive for youth via taxation parity with traditional tobacco and to prevent easy access to these products via online purchases and we ask you to **support this bill.**

LATE

Thursday, February 13, 2020 at 9:30 AM
Conference Room 229

Senate Committee on Commerce, Consumer Protection and Health

To: Senator Rosalyn Baker, Chair
Senator Stanley Chang, Vice Chair

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

Re: **Testimony in Support of SB 2902
Relating to The Sale of Tobacco 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 SB 2902 which establishes a schedule of penalties for employees and holders of retail tobacco permits or persons registered to sell electronic cigarette smoking devices who illegally sell tobacco products and electronic smoking devices to persons under the age of 21.

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.

Research conducted by the University of Hawaii Cancer Research Center, and NCI designated institution, found that e-cigarette use among our middle and high school keiki has increased at an alarming rate. 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.

Thank you for the opportunity to testify.

LATE

SB-2902

Submitted on: 2/12/2020 12:31:23 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Tjapkes	Testifying for Coalition for a Drug-Free Hawaii	Support	No

Comments:

Dear Committee on Public Health, I am in strong support of SB 2902

- Hawai'i has a youth vaping epidemic with one of the highest rates of youth e-cigarette use in the nation.
- Taxes are a proven strategy to discourage price-sensitive youth.
- Hawaii needs to allocate tobacco taxes to fund youth prevention and education programs.
- We should restrict online sales to retailers, which would help to limit access to underage youth.

Thank you,

Greg Tjapkes

Coalition for a Drug-Free Hawaii

LATE

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Senate Committee on Commerce, Consumer Protection, and Health

February 13, 2020, 9:30 a.m., Conference Room 229

Testimony in Strong Support of Senate Bill 2902 Relating To Electronic Smoking Products

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education and advocacy. The work of the American Lung Association in Hawaii and across the nation is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

The American Lung Association calls on Hawaii officials to implement taxation of electric smoking devices (in parity with other tobacco products). Tobacco use remains Hawaii's and the nation's leading cause of preventable death and disease, taking an estimated 480,000 lives every year in the U.S.

The need for Hawaii to protect youth from tobacco is more urgent than ever, with youth e-cigarette use reaching epidemic levels due to a 78 percent increase in high school e-cigarette use from 2017 to 2018, according to the Centers for Disease Control and Prevention (CDC). This equals one million additional kids beginning to use e-cigarettes, placing their developing bodies at risk from the chemicals in e-cigarettes, as well as a lifetime of deadly addiction.

Regulating e-cigarettes is necessary to protect public health and prevent youth initiation and nicotine addiction. This bill would apply a tax to e-cigarettes devices and e-liquids, require licensing and permitting for wholesalers and retailers, and create online shipment restrictions to consumers. It would also dedicate a percent of the revenues to tobacco prevention, control, and research.

By increasing funding for tobacco control programs, Hawaii would have a powerful opportunity to further reduce and prevent tobacco use, including supporting communities that still use tobacco at higher rates and who have been targeted by the tobacco industry. Despite Hawaii receiving an estimated \$160 million from tobacco settlement payments and tobacco taxes, the state does not fund tobacco control efforts at levels recommended by the CDC.

The use of electronic smoking devices by youth in Hawaii is nearly double the national average, and urgent action is required by state legislators in 2020 to address it. The American Lung Association in Hawaii urges legislators to continue to support and advocate for policies to protect youth from tobacco use by passing Senate Bill 2902.

Pedro Haro
Executive Director
American Lung Association in Hawaii
pedro.haro@lung.org



LATE

HAWAI'I COMMUNITY FOUNDATION
Amplify the Power of Giving

To: The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
And Members of the Senate Committee on Commerce, Consumer Protection, and Health

From: Micah Kāne, Chief Executive Officer & President
Hawai'i Community Foundation

Re: Testimony in Support of SB 2902, Relating to Tobacco Products

Date: Thursday, February 13, 2020

Time: 9:30 A.M.

Place: Conference Room 229, State Capitol

The Hawai'i Community Foundation (HCF) administers the Hawai'i Tobacco Prevention and Control Trust Fund. Through the Trust Fund, we have funded a variety of community grants and contracts to support tobacco prevention and control activities statewide for nearly 20 years. Our goal is to help improve the health and well-being of Hawaii's people by reducing death and disease caused by tobacco consumption. By managing statewide community grant programs in tobacco cessation and youth prevention for many years, HCF has gained substantial knowledge about what it takes at the grassroots level to reduce tobacco consumption in our communities.

The Hawai'i Community Foundation strongly supports SB 2902. Nearly all commercially available electronic smoking devices (ESDs) and e-liquids contain nicotine derived from tobacco, yet they are the only tobacco products in Hawaii's market that are not regulated or taxed under state law. It is entirely appropriate, and overdue, to regulate and tax ESDs and e-liquids on the same basis as other tobacco products.

The easy statewide availability of unregulated ESDs to our keiki and the resulting epidemic of ESD use among middle and high school students is creating a new generation dependent on nicotine, with long-term adverse health consequences to our state. Nicotine is a highly addictive substance that can cause long-term damage to the developing adolescent brain, affecting attention, learning, mood, and impulse control.¹

¹ US Department of Health and Human Services. [E-cigarette Use Among Youth and Young Adults: A Report of the Surgeon General](#) [PDF – 8.47MB]. Atlanta, GA: US Department of Health and Human Services, CDC; 2016.

Many of our tobacco cessation program grantees across the islands have learned from their patients and community partners that online sales are a major source of ESDs and e-liquids for youth or their suppliers, despite Hawaii's Age 21 law. Unlike cigarettes and other traditional tobacco products that are illegal to sell online, currently there are few barriers for online sales of ESDs and e-liquids to adults or youth. The regulatory framework in SB 2902 will help to close this very large loophole and reduce youth access to ESDs and e-liquids.

Increasing price of tobacco products through taxation is a proven evidence-based method to reduce tobacco consumption. Youth buying and consumption patterns are particularly sensitive to price increases. Increasing the price of ESDs and e-liquids through taxation that is comparable to taxes on other tobacco products will greatly assist statewide efforts by HCF and many others to reduce the epidemic-level usage of ESDs by youth throughout our state.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

LATE

Testimony Presented Before the
Senate Committee on Commerce, Consumer Protection,
And Health

Thursday, February 13, 2020 at 9:30am

By

Thomas A. Wills, PhD

Director, Cancer Prevention in the Pacific Program

University of Hawai'i Cancer Center

And

Michael Bruno, PhD

Provost

University of Hawai'i at Mānoa

SB 2902 – RELATING TO TOBACCO PRODUCTS

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

The University of Hawai'i Cancer Center (UHCC) strongly support SB 2902 which would regulate e-liquids and electronic smoking devices (ESDs) as tobacco products through taxation, shipment, and licensing and permitting.

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

Our research has 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 Hawai'i have been reported in national and international scientific journals such as JAMA Pediatrics [1] and have been confirmed in over 20 different sites, in the US as well as in Britain, Germany, Canada, and Mexico.

Moreover, our research has shown that e-cigarette use is related to a higher likelihood of respiratory disease (asthma and COPD) among Hawai'i adolescents and adults. This has been reported in two scientific journals, Preventive Medicine and Drug and Alcohol Dependence [2, 3]. This research takes account of cigarette smoking as well as other existing risk factors for respiratory disease. These findings have been confirmed in several independent studies with large representative samples conducted in the US, Europe, and Asia [4], which notably includes longitudinal studies showing that e-cigarette use precedes the onset or worsening of respiratory symptoms [5, 6]. Thus, there is evidence that e-cigarette use may be linked to adverse health consequences as well as adverse behavioral consequences such as smoking initiation. In addition, there

is now considerable evidence to refute the belief that e-cigarettes help adults quit smoking. Rather, empirical studies of large populations of adults have shown that people who use e-cigarettes are less likely to quit smoking [7] and that former smokers who use e-cigarettes are more likely to relapse to smoking [8].

We have observed that e-cigarettes are aggressively marketed to Hawai'i youth in television, 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 in a similar way to 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 Hawai'i and work with these merchants to educate them and enforce current tobacco laws.

Again, UHCC strongly support SB 2902 and ask you to pass this out of committee.

References

1. Soneji S, Barrington-Trimis J, Wills TA, et al. E-cigarette use and subsequent cigarette smoking among adolescents and young adults. *JAMA Pediatrics* 2017;171:788-797.
2. Schweitzer RJ, Wills TA, Tam E, Pagano I, Choi K. E-cigarette use and asthma in a multiethnic sample of adolescents. *Prev Med* 2017;105:226-231.
3. Wills TA, Pagano I, Schweitzer RK, Tam EK. E-cigarette use and respiratory disorder in an adult sample. *Drug Alc Depend* 2019;194:363-370.
4. Wills TA, Soneji S, Choi K, Jaspers I. E-cigarette use and respiratory disorder: Converging evidence from epidemiological and laboratory studies. Manuscript submitted for publication, 2019.
5. Bhatta DN, Glantz SA. Electronic cigarette use associated with respiratory disease among adults: A longitudinal analysis. *Am J Prev Med* 2019. doi:10.1016/j.amepre.2019.07.028.
6. Bowler RP, Hansel NH, Jacobson S, ... Drummond MB for COPDGene and SPIROMICS Investigators. Electronic cigarette use in US adults at risk for or with COPD: Analysis from two observational cohorts. *J Gen Intern Med* 2017;32:1315-1322.
7. Glantz SA, Bareham DW. E-cigarettes: Use, effects on health, risks, and policy implications. *Ann Rev Public Health* 2018;39:28.1–28.21.
8. McMillen R, Klein JD, Wilson K, et al. E-cigarette use and future cigarette initiation among never smokers and relapse among former smokers in the PATH study. *Public Health Rep* 2019. doi:10.1177/0033354919864369.



HIPHI Board

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Date: February 12, 2020

To: Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Commerce, Consumer Protection and Health
Committee

Re: Strong Support SB 2902, Relating to Tobacco Products

Hrg: February 13, 2020 at 9:30 at Conference Room 229

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Instituteⁱ is in **Strong Support of SB 2902** which imposes a tax on electronic smoking devices (ESDs) and e-liquids, requires 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 an 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 2019, 86% 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 30mL of e-liquid, some with strengths up to 50 mg of nicotine per mL, for as little as \$2.99^{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 emphasizes that is important to include all e-liquids in a tobacco tax, as a 2015 study of more than 58 million e-cigarette units found that 99% of these contained nicotine, whether or not they were labeled as zero nicotine or nicotine-free^{vii}. We are concerned that the State lacks the resources to test if e-liquids sold are indeed nicotine-free and the study is evidence that we cannot rely on self-reported information on nicotine content alone.

The Coalition supports establishing an ESD tax and appreciates the intent of the measure to dedicate a portion of the tax revenue to tobacco prevention and control programs, however it appears to only be in the purpose section of the bill. In the same poll conducted by Ward Research, 93% of registered Hawai'i voters believe it is important to dedicate some of the funding from an ESD tax to tobacco prevention and cessation programs.

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.

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 4.3%^{viii}. A study has shown that for every one adult that quits smoking using e-cigarettes, 81 youth will become cigarette smokers^{ix}. This is not a trade-off we can accept. We need to take action and regulate electronic smoking devices for our kids. The current Surgeon General, VADM Jerome Adams issued an advisory in December 2018 “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^x.” 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 2902 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.bmj.com/content/early/2019/01/31/tobaccocontrol-2018-054796>

^v This study by Ward Research, Inc. summarizes findings from a phone survey among n=807 Hawaii registered voters (maximum sampling error +/-3.3%), conducted between November 7 – December 4, 2019.

^{vi} <https://volcanoecigs.com/collections/nicotine-salt-e-liquids/products/beard-vape-the-salty-one-apple-nicotine-salt-30ml?variant=29461231992855> on January 29, 2020

^{vii} Kristy L. Marynak, Doris G. Gammon, Todd Rogers, Ellen M. Coats, Tushar Singh, Brian A. King, "Sales of Nicotine-Containing Electronic Cigarette Products:

United States, 2015", *American Journal of Public Health* 107, no. 5 (May 1, 2017): pp. 702-705. via

<http://ajph.aphapublications.org/doi/abs/10.2105/AJPH.2017.303660?url>

^{viii} 2016 Behavioral Risk Factor Surveillance System (BRFSS).

<http://www.hawaiihealthmatters.org/indicators/index/view?indicatorId=5203&localeId=14>

^{ix} Association Between Initial Use of e-Cigarettes and Subsequent Cigarette Smoking Among Adolescents and Young Adults: A Systematic Review and Meta-analysis
Samir Soneji, PhD^{1,2}; Jessica L. Barrington-Trimis, PhD³; Thomas A. Wills, PhD⁴; et al
JAMA Pediatr. 2017;171(8):788-797. doi:10.1001/jamapediatrics.2017.1488

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

LATE

HUI NO KE OLAPONO

95 Mahalani St. Rm #21

Wailuku, HI 96793

P - (808)244-4647, F – (808)442-6884

Hui No Ke Ola Pono strongly supports banning the sale of flavored tobacco products for these reasons:

Lack of tobacco regulations on e-cigarettes has led to astronomical levels of youth vaping in Hawai'i. In order to reverse the alarming trend, Hawai'i must enact policies that create uniform regulations across all tobacco products, as well as allowing counties to create local solutions.

The tobacco industry claims that they're not targeting kids, but with more than 15,500 flavors, who is the industry really targeting. With flavors like "Blue Raspberry Sour Straws", "Cookie Monsta," or "Maui Mango" the answer is clear. Flavors are designed to appeal to kids, while nicotine gets them hooked for life.

Some troubling facts:

- In 2017, 25.5% of Hawai'i high schoolers reported ever using an electronic smoking device.
- Hawaii has the highest reported vaping rate among middle schoolers (15.7%) and the second highest vaping rate among high schoolers in the nation, just behind Colorado (Source: Hawaii YRBS, 2017)
- **32.3%** of Maui County high school students and **18.3%** of Maui County middle school students reported current use of e-cigarettes (2017)
- **41.7%** of Maui County Native Hawaiian high school students and **27.8%** of Maui County Native Hawaiian middle school students reported current use of e-cigarettes (2017)
- Only **4.7%** of adults in Hawaii reported current use of e-cigarettes (2017)
- 81% of youth who ever used tobacco products started with a flavored product
- 97% of youth who vape say they use a flavored product
- 90% of adult smokers started by age 18, and 95% started by 21. The tobacco industry is quoted as saying that, "The base of our business is the high school student."

ACTIONS HAWAI'I CAN TAKE TO REDUCE YOUTH VAPING

END THE SALE OF FLAVORED TOBACCO PRODUCTS

Appealing flavors are driving the youth vaping epidemic. With thousands of kid-friendly flavors on the market and little regulation, the industry has no incentive to stop selling flavors like Strawberry Milk Moo or Blue Raz Cotton Candy.

RESTORE COUNTY AUTHORITY TO TAKE ACTION

Counties need and want the ability to address youth vaping in their communities, but are prevented by state law. Changing the state law to give counties the authority to regulate the sale of e-cigarettes will allow for local solutions.

Raise Tobacco License and Permit requirement:

- Currently, the tobacco license is only \$2.50 annually and a retail permit is \$20 annually. The proposed increase is \$250 for a tobacco license and \$50 for a retailer permit. These fees are still much lower than alcohol license and permit fees. In comparison the annual wholesale liquor license for the City and County of Honolulu is \$2,640.

ESD tax to include e-cigs:

- Currently there is no tobacco tax attached to e-cigarettes. This bill would tax electronic smoking devices and e-liquid, which includes the e-juice as well as products with e-liquid pre-filled cartridges or pod-based products.
- The proposed tax would be the same as other tobacco products, which is 70% of the wholesale price. Retail price of some e-liquids is offered as low as \$0.99 cents per bottle.
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

Prohibit Online Sales:

- This bill would prohibit online shipment of tobacco products to consumers. Only a tobacco licensee is able to purchase and ship e-cigarettes online.

Funding for ESD health and education programs for youth

- Funding for tobacco prevention and control programs complement and strengthen the effect of tobacco policies in reducing smoking rates.

Mahalo a nui loa for your time and consideration.

SB-2902

Submitted on: 2/12/2020 9:24:28 AM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

Stop poisoning people for profit.

www.WeAreOne.cc



Ph: (808) 446-2032
Fax: (833) 565-3144
PediatricTherapiesHawaii@gmail.com
PediatricTherapiesHawaii.com

To: Hawaii State Legislature

Regarding: Electronic Smoking Device Regulations

Position: Strong Support

I am writing to express my strong support for stronger regulations for electronics smoking devices. I fully support the following changes to current regulations.

Tobacco License and Permit requirement:

- This requirement is critical to educating and enforcing current laws applicable to ESD retailers.
- Currently, the tobacco license is only \$2.50 annually and a retail permit is \$20 annually. The proposed increase is \$250 for a tobacco license and \$50 for a retailer permit. These fees are still much lower than alcohol license and permit fees. In comparison the annual wholesale liquor license for the City and County of Honolulu is \$2,640.

ESD tax:

- Currently there is no tobacco tax attached to e-cigarettes. This bill would tax electronic smoking devices and e-liquid, which includes the e-juice as well as products with e-liquid pre-filled cartridges or pod-based products.
- The proposed tax would be the same as other tobacco products, which is 70% of the wholesale price. Retail price of some e-liquids is offered as low as \$0.99 cents per bottle.
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

Online Sales:

- This bill would prohibit online shipment of tobacco products to consumers. Only a tobacco licensee should be able to purchase and ship e-cigarettes online.

Funding for ESD health and education programs for youth

- Funding for tobacco prevention and control programs complement and strengthen the effect of tobacco policies in reducing smoking rates. The revenue from the ESD tax should go to these programs.

I feel these are important measures that needs to be taken by our community leaders to protect our keiki and their health. As we all know, tobacco is highly addictive and detrimental to people's health so we need to prevent kids from getting hooked in the first place. Since Hawaii has one of the highest middle and high school vaping rates in the country, it seems obvious that immediate action needs to be taken to address this epidemic. [A study](#) found that e-cigarette use is a strong risk factor for eventual cigarette smoking so preventing kids from starting vaping should be the focus for addressing this issue. Big tobacco argues that vaping helps adults quit smoking but the truth is, that for every adult that quits smoking using e-cigarettes, 81 young people will become future smokers, which is an unacceptable trade off.

Please do the right thing and help protect our keiki from Big Tobacco. Protect them from getting starting using tobacco products and protect them from all the health risks that come with it. It is our job as adults, parents, business owners, law makers, and community leaders to do something about this issue because we can and it is our obligation to our youth.

Sincerely,

Dr. Amy Peterson
Executive Director/Physical Therapist
Pediatric Therapy Hawaii

LATE

Date: February 13, 2020

To: The Honorable Roslyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Members of the House Committee on Judiciary

From: Members of the University of Hawaii Student Health Advisory Council

Re: Strong Support for SB2902, Relating to Tobacco Products

Htg: Thursday, February 13, 2020 at 9:30 pm at Capitol Room 229

Thank you for the opportunity to submit testimony in SUPPORT of SB2902, which establishes the offense of unlawful shipment of tobacco products. Includes e-liquid and electronic smoking devices within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law. The Student Health Advisory Council has played a pivotal role in the development and implementation of health policies and tobacco education on the UH System campuses. We remain deeply committed to the mission of reducing the use of tobacco products, including electronic smoking devices, among adolescents and young adults.

With products like Juul and other popular electronic smoking devices, it is increasingly clear that these products are addicting a whole generation of youth to a harmful product. The Surgeon General has gone so far as to declare youth e-cigarette use an epidemic, and that there is an urgent need to protect children from a lifetime of nicotine addiction and associated health risks.

According to the Center for Disease Control and Prevention, Hawaii's middle schoolers rank the highest and high schoolers rank the second highest in the nation for reported usage of e-cigarettes. This underscores the severity with which e-cigarette use has penetrated our state's middle and high schools.

Under the Food and Drug Administration, electronic smoking devices are classified as a tobacco product, and yet they are the only product with that classification that does not have a tobacco tax. From the many decades of research done on tobacco control policy, it is clear that increasing the price of these products is a proven strategy that discourages access to these products. By prohibiting online sales to retailers, underage youth will have limited access to e-cigarettes. In addition, distributing tobacco taxes towards health education and prevention programs could help youth quit or prevent them from using vape products in the first place.

We therefore urge you to support this measure. For the sake of our general public health, Hawaii should not allow e-cigarettes to continue to fly below the State's tobacco tax radar.

Mahalo,

Student Health Advisory Council

LATE

SB-2902

Submitted on: 2/12/2020 5:11:10 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

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

Comments:

We strongly opposed to anti-choice and anti-business bills such as SB2902.

LATE

SB-2902

Submitted on: 2/12/2020 7:01:11 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Johnson	Testifying for Hawaii Substance Abuse Coalition	Support	No

Comments:

Aloha, HSAC supports this bill especially the tremendous need to fund prevention messages to children. Aloha

LATE



Kaho'omiki
Hawai'i Council on Physical Activity & Nutrition

February 12, 2020

To: Chair Baker
Vice Chair Chang
Senate Committee on Commerce, Consumer Protection, and Health

Re: **Strong Support for SB2902**

Aloha Chair Baker, Vice Chair Chang, members of the Senate Committee on Commerce, Consumer Protection, & Health:

Thank you for your dedication to community health and this opportunity to provide testimony in **strong support** for **SB2902**.

Kaho'omiki, the Hawai'i Council on Physical Activity and Nutrition, is a local non-profit that supports and encourages lifelong healthy lifestyles and closely works with organizations across the state to better the lives of all people—keiki to kūpuna.

It is clear that ESD use by youth is on an upward trend, 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. The CDC notes that “young people who use e-cigarettes may be more likely to smoke cigarettes in the future.”¹

We also know that one of the most effective way to curbing the ESD epidemic is to change policies around its retail distribution, which is why this bill is so important. Please help to support our families by passing this bill.

Thank you for this opportunity to testify in support of **SB2902**.

Sincerely,

Colby Takeda, MBA, MPH
President, Kaho'omiki

¹ Dunbar, M. S., Davis, J. P., Rodriguez, A., Tucker, J. S., Seelam, R., & D'Amico, E. J. (2018). Disentangling Within- and Between-Person Effects of Shared Risk Factors on E-cigarette and Cigarette Use Trajectories from Late Adolescence to Young Adulthood. *Nicotine & Tobacco Research*, nty179.

**Committee
Members**

Annaleah Atkinson
808 652-7743

Lori Carlson
651 587-2904

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Eric Devlin
808 429-3229

Regina Floyd
702 292-2372

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Eve Hands
808 346-7799

Steve Hardy
707 481-5070

Larry Lindsay
808 634-4559

Scott McCubbins
816 781-5883

Graeme Merrin
808 651-7211

Ryan Moen
808 651-0726

Lelan Nishek
808 245-7747

Tommy Noyes
808 639-1018

Ron Rector
808 639-2443

Valerie Woods
808 822-2420

Ron Wiley
808 245-9527



February 12, 2020

SENATE COMMERCE, CONSUMER PROTECTION AND HEALTH COMMITTEE

SUPPORT FOR SB 2902—RELATING TO TOBACCO PRODUCTS

Aloha CPH Committee Members,

The volunteers listed on the left are members of the Friends of Kamalani and Lydgate Park committee, and we would like to register our strong support for SB 2902. This bill calls for long-overdue regulation of electronic smoking devices.

This requirement is critical to educating and enforcing current laws applicable to ESD retailers. Currently, the tobacco license is only \$2.50 annually and a retail permit is \$20 annually. The proposed increase is \$250 for a tobacco license and \$50 for a retailer permit. These fees are still much lower than alcohol license and permit fees. In comparison the annual wholesale liquor license for the City and County of Honolulu is \$2,640.

Regarding taxing Electronic Smoking Devices, currently there is no tobacco tax attached to e-cigarettes. This bill would tax electronic smoking devices and e-liquid, which includes the e-juice as well as products with e-liquid pre-filled cartridges or pod-based products. The proposed tax would be the same as other tobacco products, which is 70% of the wholesale price. Retail price of some e-liquids is offered as low as \$0.99 cents per bottle.

Electronic smoking products are pernicious devices clearly profiting the tobacco industry by addicting children to nicotine. The detrimental long-term public health effects of nicotine addiction is established science.

Please fulfill your allegiance to the people of Hawaii and advance Senate Bill 2902. It is your responsibility to protect our youths' health and wellness, not to assure the tobacco industry's and tobacco retailers' profits at the expense of assured life-long health degradation and quality-of-life impairments.

Sincerely,

Tommy A. Noyes

General Coordinator
The Friends of Kamalani and Lydgate Park

12 February 2020

LATE

**Re: Testimony in Support to SB2902
Relating to Electronic Smoking Devices Regulation/ Tobacco**

Blue Zones Project - Hawaii strongly supports this bill for the following reasons:

Tobacco License and Permit requirement:

- This requirement is critical to educating and enforcing current laws applicable to ESD retailers.
- Currently, the tobacco license is only \$2.50 annually and a retail permit is \$20 annually. The proposed increase is \$250 for a tobacco license and \$50 for a retailer permit. These fees are still much lower than alcohol license and permit fees. In comparison the annual wholesale liquor license for the City and County of Honolulu is \$2,640.

ESD tax:

- Currently there is no tobacco tax attached to e-cigarettes. This bill would tax electronic smoking devices and e-liquid, which includes the e-juice as well as products with e-liquid pre-filled cartridges or pod-based products.
- The proposed tax would be the same as other tobacco products, which is 70% of the wholesale price. Retail price of some e-liquids is offered as low as \$0.99 cents per bottle.
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

Online Sales:

- This bill would prohibit online shipment of tobacco products to consumers. Only a tobacco licensee can purchase and ship e-cigarettes online.

Funding for ESD health and education programs for youth

- Funding for tobacco prevention and control programs complement and strengthen the effect of tobacco policies in reducing smoking rates.

Blue Zones Project was brought to Hawaii by HMSA to help increase the overall well-being of our communities and to make Hawaii a healthier, happier place to live, work and play. To accomplish that goal, we work with people, places, and polices in areas of well-being including better access to our natural and built environment resources.

Brought to
Hawaii by



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Blue Zones Project has worked with our community partners statewide since 2012. Initiatives such as this help the progress our many partners have made to make the communities, we live in even better healthier places to live, work and play.

Blue Zones Project strongly supports this bill and asks that it be approved.

Please contact me with any questions at Crystal.Robello@Sharecare.com.

Sincerely,

Crystal Robello

Community Engagement Lead

Blue Zones Project – Hawaii

Brought to
Hawaii by



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TestimonySB2902_SB2902_96499

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bluezonesproject.com

LATE

SB-2902

Submitted on: 2/12/2020 11:00:52 PM
Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Miki	Testifying for Small rural primary care office	Support	No

Comments:

We need to create a cessation program specifically for our youth. Hawaii Tobacco Quitline currently isn't designed to deal with the age group. We the primary care office don't have much resources to help youth in quitting tobacco/vape.

LATE

SB-2902

Submitted on: 2/12/2020 2:47:42 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Doris Segal Matsunaga	Testifying for Save Medicaid Hawaii	Support	No

Comments:

LATE

Dear Chair Baker, Vice Chair Chang, and Committee Members,

My name is Ramic Santiago and I **support** SB2902: RELATING TO TOBACCO PRODUCTS.

There are too many children under 18 that are choosing to vape in Hawaii. According to the Center for Disease Control and Prevention Hawai'i ranks second in children ranging from 6th to 12th grade who choose to vape (1). According to Kaiser Health News numbers reported in 2018 translate to 3 million high school students nationally who vape. These staggering numbers continue to rise with advancements in vaping technology. Vaping devices can come in a variety of sizes and others like the JUUL product which is the size of a small USB port and can be used almost undetectable. Nicotine levels are manipulated and highly concentrated like the JUUL that can contain as much nicotine as 20 packs of cigarettes.

Nicotine is extremely unhealthy for youth because it can be extremely harmful to the developmental process in the youths brain and nicotine causes changes in the brains synapses which are built faster than the adults brain (1). Most e cigs contain nicotine and nicotine use in adolescence may further the risk for future addiction to drugs (1). There are many carcinogenic chemicals used in the production of e-cigs including cancer-causing compounds and heavy metals such as nickel, tin, and lead (1).

Many vaping products come with or are used with flavor additives such as candy flavorings. These flavorings are targeted at making nicotine products familiar to youth and make the vaping product more palatable to taste than traditional burning tobacco products which are restricted by the 2009 Family Smoking Prevention and Tobacco Control Act which banned fruit and candy flavorings in cigarettes but did not include smokeless tobacco products like chew and e-cigs.

As of January 2020 the Trump administration has enacted a ban on the flavoring of e-cigarettes which use pre filled cartridges but does not include tank based systems where users fill their own nicotine and flavor mixturing(2). Furthermore, mentol pre-filled vaping devices are excluded from the ban (2) . According to the National Institute on Drug Abuse 66% of teens vape only flavoring (2). Banning pre-filled e-cig products will have little effect when teens can still get ahold of products that contain flavored vaping products like fillable tank systems.

Hawaii needs to further the Trump administration's efforts to reduce the increasing number of underage children who use vaping products. Hawaii needs to ban all flavored vaping products in the state to fight the epidemic of underage teen vaping.

Sincerely,

Ramic P.H. Santiago, B.S.
1614 Emerson Street # 5
Honolulu, Hawaii 96813

Resources

1. Center for Disease Control and Prevention(2019). Smoking and Tobacco Use
2. MarketWatch.(2020). Federal Government Bans Popular E-cigg Flavors to the Curb.
3. NIH National Institute on Drug Abuse.(2015). Teens and E-cigs.

Testimony to Senate Committee on Commerce, Consumer Protection, and Health
Thursday, February 13, 2020; 9:30 a.m.
State Capitol, Conference Room 229

Dear Chair Baker, Vice Chair Chang, and Committee Members,

I support SB2902: RELATING TO TOBACCO PRODUCTS.

Tobacco killed my husband last March from smoking. He ended up dying from COPD and had lung cancer. He suffered greatly before he passed away and died an early death.

We have 6 grandchildren that I don't want to have the same fate as their grandfather. Our keiki are a vulnerable group and must be protected. Don't make it easy for electronic smoking devices to get into the hands of our kids.

Please pass SB2902 to save our children for the future.

Sincerely,

Jennifer Hausler
Pearl City, 96782

Date: February 13, 2020
To: The Honorable Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair
Members of the Committee on Commerce, Consumer Protection, and Health

From: Ruthie Diaz, BSW
rddiaz@hawaii.edu
Honolulu, HI 96813

Re: Support for SB2902: RELATING TO TOBACCO PRODUCTS.

Hearing: Thursday, February 13, 2020 at 9:30 am at Conference Room 229

Dear Chair Baker, Vice Chair Chang, and Committee Members,

Thank you for the opportunity to submit testimony in SUPPORT of SB2902: RELATING TO TOBACCO PRODUCTS.

I am a non-traditional student at the University of Hawai'i, Mānoa, and completing the master's degree at the Myron B. Thompson School of Social Work. As a full-time student, social work practicum student, and a part-time employee, I have opportunities to engage with the communities at the University of Hawai'i as well as the Oahu community working with individuals and families. Most importantly, I am a mother of two children, ages five and an 11. I care deeply for my children as well as all the youth of Hawai'i, and prevention is key to many health risks.

Although there are various stories that I have encountered with electronic nicotine delivery systems ENDS and vape products, the one I can recall involves my four-year-old son. I live in a condominium with a wraparound lanai that welcomes cool trade wind breezes on most days. Because of this, my lanai doors are always wide open. My home is a smoke-free building, which should eliminate such behaviors and provide clean air for my family. However, addictive behaviors will often lead to the disregarding of such rules. Neighboring units smoking on their lanai lead to clouds of smoke to travel down to my family's unit. My four-year-old smelled the strawberry flavors and savored it. Luckily, he spoke out loud and mentioned that it smells like candy. I knew what it was, and I had no choice but to report it to our building management and close my lanai door. I realized that the smell of such flavors was very enticing to my four-year-old, and had I not stopped him, he would have continued to inhale the vape products contaminating our fresh air. This was a teaching moment for my older child about the health risk and the inconvenience it causes other people and families, but not necessarily to a four-year-old. This experience allowed me to see how dangerously enticing these ENDS flavors to even the youngest children. It made me aware of how normalized use or even continued exposure to ENDS and vape products may lead to experimentation and subsequent addiction.

Bill SB2902, if enacted, it will prevent many health problems that are related to electronic nicotine delivery systems (ENDS) and vape products. The increasing youth vaping epidemic, particularly in Hawai'i, is due to the lack of regulation pertaining to ENDS, enticement to youth using candy-flavored vape products as well as communities and social behaviors among youth normalizing the use of these items.

The opposition's argument that the use of ENDS and vape products is successful as a smoking cessation product has not been proven true, nor is it FDA approved. A study conducted in 2016 by Garcia-Arcos *et al.*, concluded that mice who were exposed to aerosolized nicotine-free and nicotine-containing e-cigarette fluid "triggered

effects normally associated with the development of COPD including cytokine expression, airway hyper-reactivity, and lung tissue destruction" (Garcia-Arcos et al., 2016). The medically proven and documented health risks and addictive behaviors of ENDS and vaping outweighs the unsubstantiated arguments of successful cessation for existing smokers.

The continuous use and exposures of the harmful products to minors may cause addiction, lead to dual use of combustible cigarettes and vape products, and damage to the developing adolescent brain. The banning of flavored tobacco products is an imperative next step in tobacco control if SB2902 becomes law.

Garcia-Arcos, I., Geraghty, P., Baumlin, N., Campos, M., Dabo, A. J., Jundi, B., ... Foronjy, R. (2016). Chronic electronic cigarette exposure in mice induces features of COPD in a nicotine-dependent manner. *Thorax*, *71*(12), 1119–1129. doi: 10.1136/thoraxjnl-2015-208039

SB-2902

Submitted on: 2/11/2020 5:10:15 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Murakami-Akatsuka	Individual	Support	No

Comments:

I strongly support the passage of SB 2902 to add to the definition of "tobacco products" to include e-liquid and electronic smoking devices as used in the cigarette tax and tobacco tax law. Also I strongly endorse the portion of funds for health education and prevention programs to address the risks and dangers of the use of electronic smoking devices for youth. This is an important bill for the future of our children's health.

Thank you for the opportunity to testify in strong support of SB 2902

Lynn Murakami-Akatsuka, MPH, CHES

Date: February 12, 2020

To: The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Re: **Strong Support for SB2902**, Relating to Tobacco Products

Hrg: February 13, 2020 at 9:30 AM in Capitol Room 229

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

As a parent, educator and healthcare professional, I am writing in **strong support of SB2902**, which establishes the offense of unlawful shipment of tobacco products; includes e-liquid and electronic smoking devices within the definition of "tobacco products", as used 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; allocates a portion of funds collected from excise taxes on tobacco products to health education and prevention programs about the risks and dangers of the use of electronic smoking devices for youth; and, repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices.

Hawai'i is in the midst of an unprecedented youth vaping (nicotine addiction) epidemic and has one of the highest rates of youth e-cigarette use in the nation. Due to the highly concentrated nicotine salt vape juices available in a multitude of sweet flavors, these products are highly attractive to, and pose a huge risk of addiction and life-long impaired brain development for, our youth.

For the health and welfare of our children and future generations the measures as addressed in **SB2902** are urgently needed to effectively halt the youth vaping epidemic in Hawai'i.

E-cigarettes are far less expensive than combustible tobacco cigarettes, making them economically attractive to youth. Tobacco taxes are a proven strategy to discourage use of tobacco products, especially among price-sensitive youth.

Restricting online sales to retailers will further reduce youth access to e-cigarettes.

SB2902 allocates much needed funding for health education and prevention programs to provide all of our youth with accurate, evidence-based information about the risks and harms of nicotine and vaping.

Bringing ESDs within the definition of tobacco products for licensing and permitting creates a level playing field for all retail establishments selling any tobacco products, allowing state agencies to readily and effectively communicate regulatory changes, product recalls and other important information to retailers.

I **strongly support SB2902** and respectfully ask you to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Kea'au, HI

SB-2902

Submitted on: 2/12/2020 9:08:01 AM

Testimony for CPH on 2/13/2020 9:30:00 AM

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

Comments:

Please pass SB2902 as this bill will do much to regulate the sales of electronic smoking devices that include nictotine in them as should be. It will increase State revenues that can then be used as educational funds for prevention and treatment. We owe our keiki this much.

As a community member who has been involved with this issue for many years, I see it as the right time to put regulation on the illegal import and sales of tobacco products.

Mahalo

Mary Santa Maria

Makawao Hawaii 96768

LATE

Electronic Smoking Device/E-Cigarette Regulations

I, Shani Gacayan, Strongly Support SB2902

Tobacco License and Permit requirement:

- This requirement is critical to educating and enforcing current laws applicable to ESD retailers.
- Currently, the tobacco license is only \$2.50 annually and a retail permit is \$20 annually. The proposed increase is \$250 for a tobacco license and \$50 for a retailer permit. These fees are still much lower than alcohol license and permit fees. In comparison the annual wholesale liquor license for the City and County of Honolulu is \$2,640.

ESD tax:

- Currently there is no tobacco tax attached to e-cigarettes. This bill would tax electronic smoking devices and e-liquid, which includes the e-juice as well as products with e-liquid pre-filled cartridges or pod-based products.
- The proposed tax would be the same as other tobacco products, which is 70% of the wholesale price. Retail price of some e-liquids is offered as low as \$0.99 cents per bottle.
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

Online Sales:

- This bill would prohibit online shipment of tobacco products to consumers. Only a tobacco licensee is able to purchase and ship e-cigarettes online.

Funding for ESD health and education programs for youth

- Funding for tobacco prevention and control programs complement and strengthen the effect of tobacco policies in reducing smoking rates.

LATE

SB-2902

Submitted on: 2/12/2020 9:38:34 AM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin Mills	Individual	Support	No

Comments:

As a health educator for the State Health Department and as a parent of two children, I am in support of SB2902. ALL tobacco products (including electronic smoking devices [ESDs]) need to be regulated and taxed. Further, online sales of ESDs need to be regulated to assure that our youth are not able to purchase these devices.

Regarding regulation of ESDs: Currently, the tobacco license is only \$2.50 annually and a retail permit is \$20 annually. The proposed increase of \$250 for a tobacco license and \$50 for a retailer permit are still much lower than alcohol license and permit fees.

Regarding taxing ESDs: currently these products are not taxed. ESDs and e-liquids are tobacco products and they need to be treated as so and taxed likewise. The proposed tax would be the same as other tobacco products, which is 70% of the wholesale price. Retail price of some e-liquids is offered as low as \$0.99 cents per bottle. Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

Regarding online Sales: This bill would prohibit online shipment of tobacco products to consumers. Only a tobacco licensee is able to purchase and ship e-cigarettes online. This aspect is CRITICAL to reduce youth who are becoming addicted to nicotine and tobacco products! Our youth need to be protected by prohibiting online sales of ESDs.

I support the intent of the bill, which seeks to fund health and education programs on the dangers of ESDs for youth and ask that language be inserted to allocate tobacco tax revenue towards these programs.

LATE

SB-2902

Submitted on: 2/12/2020 12:08:30 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
mahea	Individual	Support	No

Comments:

I am an 8th grade student. Smoking is bad in general but its even worses for kids. Smoking at a young age is very bad because your brain and body or still growing and it couol effect your growth. Also it is very bad for your lungs and heath in general. It is very addictive and it is hard to stop smoking .

LATE

SB-2902

Submitted on: 2/12/2020 12:09:37 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kaimana	Individual	Support	No

Comments:

vapeing is junk fo you

LATE

SB-2902

Submitted on: 2/12/2020 12:10:52 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jessa	Individual	Support	No

Comments:

Hello! My names Jessa S. :). I'm from Hana, Maui which is on the eastside of the hawaiian island Maui. I'm 13 years of age and a 8th grade student. My reason for this is to tell u my opinion on Why tobacco products shouldn't target youths. I think tobacco products shouldn't target the youth because if this targets our youth it could change their future, which when they get into society they can change other peoples future. Such as if they get too addicted to tobacco at a young age such as 13-18 years old they wont be doing as well in school which when they get older they won't have a much of a future they could be proud of. The kids these days see ads on how these products are ok for them to use. Such as the people that make these products as everyday looking objects. Like office supplies, children juice boxes, jacket strings, and etc. So with this said I would want these kids to have a better future by not using these "products" and live a healthy non tobacco life.

LATE

SB-2902

Submitted on: 2/12/2020 12:08:42 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kawaiolaakealoha Sanita	Individual	Support	No

Comments:

Hi I am Kawaiolaakealoha Sanita a 8th grade student ant Hana High and Elementary School. I'm here to say that tobacco products are very bad for not just minors but also adults to. Vapes, weed, cigaretts ec. are all very bad and for your phycical and metal health. I know the side affects that affect minors and adults. Smoking weed can sometimes cause certian peopls brain to react differently which can cause depression and suicidal thoughts. "Marijuana use has also been linked with depression and anxiety, and with suicidal thoughts among teens" says the Center for Disease Control and Pervation. What I read from them tells me that smoking can really harm everyone espesally teens. We as a comunnity need to stop tobacco and drug abuse for our generation.

LATE

SB-2902

Submitted on: 2/12/2020 12:20:01 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexia	Individual	Support	No

Comments:

Hi my name is alexia i'm in 8th grade and i think they should not sell tabaco to kids.

LATE

SB-2902

Submitted on: 2/12/2020 12:22:36 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
hoaka	Individual	Support	No

Comments:

Hi i am a 8th grade student from hana school and this is my testimony is that we should stop these smokers because were killing too many people in the world, why dont people relise that everyone dont have to smoke, is it because its a trend and everone body wants to get on this trend and Tobacco use is a cause or risk factor for many diseases; especially those affecting the heart, liver, and lugs, as well as many cancer. We had this Tobacco as long been used in the Americas, with some cultivation sites in Mexico dating back to 1400–1000 BC.

LATE

SB-2902

Submitted on: 2/12/2020 12:15:20 PM
Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
seaena	Individual	Support	No

Comments:

.Hi my name is seaena, and im from Hana Maui and im an 8th grade student and I think that all tobacco products should not be sold in stores because it ruins our lungs and keeps us people from keeping our body healthy and living longer

LATE

SB-2902

Submitted on: 2/12/2020 12:24:36 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jacob pu	Individual	Support	No

Comments:

am a 8th grade student. i think tobaco products are bad for kids because they have different kinds of flavers that are adicting to kids.

LATE

SB-2902

Submitted on: 2/12/2020 12:26:31 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shaunnie tolentino-kaiwi	Individual	Support	No

Comments:

My name is Shaunnie im a 8th grader here at Hana High and Elementary school. I am writing this to testify on my behalf saying that the tabaco company should not be targeting us young youths. I have seen the product that they are making and it looks like what every child would like to have. It looks like a juice box, candy and jackets that make them hide it. These types of things should not be happening. It is dangerous for us kids and if you care for young children and their future, you need to put a stop to this kinds of companies. Flovoring is what is drawing us young kids to vape. Stop it once and for all.

Mahalo,

Shaunnie

LATE

SB-2902

Submitted on: 2/12/2020 12:28:46 PM
Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
julian	Individual	Support	No

Comments:

, hi im an 8th grade student my thought's about tobacco killing kid's is bad. the companies should get in trouble not the little kids. These products are bad for us kids, and if they get rid of the tobacco products us kids will not be tempted to using or even trying the product. So please help me in getting rid of this items. Banned it right now. Save us so we can live a healthy life in the future.

Thank you for reading and hearing my concerns

LATE

SB-2902

Submitted on: 2/12/2020 12:27:53 PM
Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kawelo	Individual	Support	No

Comments:

I am a middle school girl from Hana and i think that having tabbaco flavored products shouldnt be a vape flavor because it can lead from rolling a joint to just vaping and thinking its ok when it can cause cancer and many other deseases.

LATE

SB-2902

Submitted on: 2/12/2020 12:29:21 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Franz Weber	Individual	Support	No

Comments:

LATE

SB-2902

Submitted on: 2/12/2020 12:36:59 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shay Chan Hodges	Individual	Support	No

Comments:

Why We Need SB 2902

- Hawai'i has one of the highest rates of youth e-cigarette use in the nation.
- Tobacco taxes are a proven strategy that discourages use of these products, especially among price-sensitive youth.
- It's important to allocate tobacco taxes to fund youth prevention and education programs.
- Restricting online sales to retailers only will help to limit access to underage youth.

E-cigarettes have evaded many of the tobacco regulations that led to historically low smoking rates. With the abundance of both brick-and-mortar and online retailers selling these products for as little as \$1, they are cheap and easily accessible to our keiki. As a result, Hawaii's youth are paying the price, with one of the highest e-cigarette use rates in the nation.

[SB 2902](#) seeks to reverse this alarming statistic through licensing and permitting, taxation, online sales restrictions, and funding for youth e-cigarette education and prevention programs.

LATE

SB-2902

Submitted on: 2/12/2020 12:42:47 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
C. Azelski	Individual	Support	No

Comments:

E-cigarettes have evaded many of the tobacco regulations that led to historically low smoking rates. With the abundance of both brick-and-mortar and online retailers selling these products for as little as \$1, they are cheap and easily accessible to our keiki. As a result, Hawaii's youth are paying the price, with one of the highest e-cigarette use rates in the nation.

[SB 2902](#) seeks to reverse this alarming statistic through licensing and permitting, taxation, online sales restrictions, and funding for youth e-cigarette education and prevention programs.



SB-2902

Submitted on: 2/12/2020 12:49:08 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kerith Harding	Individual	Support	No

Comments:

Dear Committee members,

As the pastor of a Maui church, I see it as a personal responsibility to do everything I can to safeguard the overall wellness of our local young people. As elected officials, tasked in part with safeguarding the health of all our residents, I expect that you feel this responsibility very personally as well. If so, I can see no other choice than to support the ban of all flavored tobacco products. Please see below statistics that support this position. And please, vote with the health of our keiki in mind; not the opinions of industry lobbyists.

HAWAII’S YOUTH VAPING EPIDEMIC

Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-cigarettes in the nation - 15.7% of middle schoolers and 25.5% of high schoolers (Source: Hawaii YRBS, 2017). This is extremely concerning, as nicotine is a highly addictive drug that impacts the adolescent brain. [A study](#) found that e-cigarette use is a strong risk factor for eventual cigarette smoking, and for every adult that quits smoking using e-cigarettes, 81 young people will become future smokers - an unacceptable trade off.

WHY FLAVORS?

It’s no coincidence that the rise in youth e-cigarette use has coincided with an explosion of sweet e-liquid flavors used to hook kids. With more than 15,500 flavors, these products are being irresponsibly marketed – who is the industry really targeting with flavors like Unicorn Milk, Sour Straws, or Strawberry Watermelon Bubblegum? Flavors are designed to appeal to kids, while nicotine gets them hooked for life. Some troubling facts:

- 81% of youth who ever used tobacco products started with a flavored product
- 97% of youth who vape say they use a flavored product

WHY MENTHOL?

Tobacco companies use flavored products to keep customers of all ages addicted to their products. However, it's well-documented that menthol flavors are particularly enticing to teens and adults who haven't previously used tobacco. Menthol has cooling properties that mask the harshness of tobacco smoke and nicotine, making menthol cigarettes a popular starter product. The tobacco industry has a long history of marketing menthol cigarettes to youth and vulnerable groups, such as the African American community. In Hawaii, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes (Source: Hawaii BRFSS, 2008).

In addition, I'd like to ask you not include (or remove, where needed) any youth penalties from the bill. We need to hold the industry accountable through regulations instead of punishing youth who have fallen prey to their predatory marketing tactics. Other policies are proven strategies to reduce youth tobacco use, such as decreasing access to tobacco products, increasing prices of tobacco products, tobacco prevention and education programs in schools, and increased enforcement of tobacco sales restrictions.

Mahalo,

The Rev. Kerith Harding, Rector of St. John's Church, Kula (Maui)

SB-2902

Submitted on: 2/12/2020 12:57:51 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Tenaya Jackman	Individual	Support	No

Comments:

Dear Chair and Committee Members,

As a public health professional for close to 30 years, I have dedicated my career to improving the public health. This measure provides an opportunity to use a proven strategy to reduce use of e-cigarettes in our youth, a tremendous public health goal. Unfortunately Hawaii has one of the highest rates of youth e-cigarette use in the nation. Please support strategies that have reduced tobacco use and its associated health problems in the past.

Thank you,

Tenaya Jackman

LATE

SB-2902

Submitted on: 2/12/2020 1:04:33 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael deYcaza	Individual	Support	No

Comments:

Anything we can do to prevent childhood or teenage addiction to tobacco products will be well worth the effort in terms of avoided medical and lost productivity costs.

LATE

SB-2902

Submitted on: 2/12/2020 1:16:04 PM
Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments:

LATE

SB-2902

Submitted on: 2/12/2020 1:43:23 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathryn Braun	Individual	Support	No

Comments:

I am a professor of Public Health, testifying as an individual. My husband has Chronic Obstructive Pulmonary Disease, caused by smoking cigarettes from age 14 to age 34. When he started at age 14, he had no idea that he was causing damage to his lungs. Now, he is a high utilizer of our healthcare system!

E-cigarettes have evaded many of the tobacco regulations, and retailers are selling these products for as little as \$1. This is getting our children hooked on tobacco. As a result, Hawaii's youth are paying the price, with one of the highest e-cigarette use rates in the nation.

These products are cheap and accessible because they are not regulated. Yet they lead to tobacco dependence and, later in life, to severe illness that undercuts adult productivity and burdens our healthcare system.

[SB 2902](#) seeks to reverse this alarming statistic through licensing and permitting, taxation, online sales restrictions, and funding for youth e-cigarette education and prevention programs. Tobacco taxes are a proven strategy that discourages use of these products, especially among price-sensitive youth.

LATE

SB-2902

Submitted on: 2/12/2020 1:45:28 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hilary Lang	Individual	Support	No

Comments:

Aloha,

I am a teacher at Hana High & Elementary School for 11 years. I was an elementary teacher and now I am a middle school teacher. I have 7 and 11 year old children. We have had students as young as 3rd grade using vape products and bringing them to school. They are particularly drawn to the fun flavors, cute packaging, and being like their middle school family and friends. My kids are so excited about cotton candy, chocolate, strawberry, etc. Adults who are cigarette smokers are not looking for cotton candy flavor. Those are targeting my children. We have DARE at our school and anti-vape poster contests, but many students are not interested because they already use it. Vape products have highly addictive nicotine and many chemicals that are very hard on growing bodies and minds. There are many vape products that are easy for the kids to conceal (looking like regular classroom supplies, candy, or tiny enough to keep in their clothing). When the kids use these chemical products, they have a hard time focusing on their academic classes. Nicotine is very addictive. Our children have so many challenges growing up to have large corporations targeting them to be life long customers addicted to their products. They are not old enough to make educated and informed choices about this level of addiction, chemical dependency, medical problems, loss of academic learning, and social emotional problems. Please help us keep these tobacco and nicotine products out of the hands of children so that they have an opportunity to grow up with healthy minds and bodies.

I oppose penalties for our youth. We can not have our youth be afraid to get adult help. These are very addictive products and they have used these products it is because of the industry has targeted them. They will need to have support and help getting away from this addictive nicotine product and not be afraid that they will get in trouble.

We need to have intelligence in helping combat these industries targeting our youth and trying to get them to become new life long customers. Please support these bills in protecting our at risk native youth.

Hilary Lang

A concerned teacher and parent

Hana High & Elementary

LATE

SB-2902

Submitted on: 2/12/2020 2:02:59 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Charity Kaiwi	Individual	Support	No

Comments:

To whom it may concern,

I am writing in strong support of SB 2902.

As a mother of two boys, one of which is currently in middle school. I am extremely concerned to hear that Hawaii has one of the highest rates of middle schoolers and high schoolers currently using e-cigarettes in the nation - 15.7% of middle schoolers and 25.5% of high schoolers (Source: Hawaii YRBS, 2017). Nicotine is a highly addictive drug that impacts the adolescent brain, the ramifications are very serious. With more than 15,500 flavors, these products are being irresponsibly marketed. These fruity and candy-like flavors are designed to appeal to kids, while nicotine gets them hooked for life.

Tobacco taxes are a proven strategy to discourage use of these products, especially among our most impressionable population, our youth. Furthermore, these taxes can go to youth educational and prevention programs. I do not want my children to face the scenario where accessing these harmful products is easy. I am humbly asking for your support of this bill, SB2902.

Respectfully,

Charity Kaiwi
46 Ohana Hana Lp.
Wailuku, HI 96793

LATE

SB-2902

Submitted on: 2/12/2020 2:41:00 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Neubert	Individual	Support	Yes

Comments:

Please support taxes and regulation to protect our children from the awful health effects of tobacco.

SB-2902

Submitted on: 2/12/2020 2:47:11 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cyrus Howe	Individual	Support	No

Comments:

SB-2902

Submitted on: 2/12/2020 3:16:27 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Vickie Parker Kam	Individual	Support	No

Comments:

Thank you for accepting testimony to support SB2902 Relating to Tobacco Products. As a public school teacher and a mother I am in strong support of this bill. Hawai'i's public school students have one of the highest rates of youth e-cigarette use in the nation. Tobacco taxes are a proven way to reduce use of the these products as most students do not have much discretionary spending. We need to increase spending in the education and prevention of use of tobacco based products overall. This issue effects entire families, restricting sales will only limit selling to youth... this needs to be expanded to support all our ohana.

Mahalo, Vickie Kam

SB-2902

Submitted on: 2/12/2020 3:21:43 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Austin	Individual	Support	No

Comments:

It is shocking that Hawai'i has one of the highest rates of youth e-cigarette use in the nation. Please support this important bill for the sake of the health of our youth!

LATE

SB-2902

Submitted on: 2/12/2020 4:42:54 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Mih	Individual	Support	No

Comments:

As a pediatrician in Honolulu and medical director of the Kapi'olani Smokefree Families Tobacco & Nicotine Cessation Program, I strongly support SB2902, 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.

Online sales of e-cigarettes or vaping devices and liquid nicotine also needs to be regulated and monitored. Many young people can easily access vaping supplies via the internet. This bill would prohibit online shipment of tobacco products to consumers, limiting it to licensed sellers.

ESDs are the only tobacco product without a tobacco tax, yet they are essentially sold and used in the same manner. Please bring the tax amount on par with other tobacco products.

Please do not let vaping continue to go unregulated in Hawai'i. Thank you for your consideration and support of SB2902.

Sincerely,

Bryan Mih, MD, MPH, FAAP

Pediatrician

LATE

SB-2902

Submitted on: 2/12/2020 5:09:10 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

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

Comments:

LATE

SB-2902

Submitted on: 2/12/2020 5:14:15 PM
Testimony for CPH on 2/13/2020 9:30:00 AM

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

Comments:

LATE

SB-2902

Submitted on: 2/12/2020 5:34:38 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
April Pacheco	Individual	Oppose	No

Comments:

LATE

SB-2902

Submitted on: 2/12/2020 5:55:45 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tammy Young	Individual	Oppose	No

Comments:

LATE

SB-2902

Submitted on: 2/12/2020 5:56:01 PM
Testimony for CPH on 2/13/2020 9:30:00 AM

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

Comments:

As a nurse, parent, and teacher concerned about the prevalence of vaping in our middle and high schools in Maui County, I am writing in strong support of SB2902. We have an epidemic of youth vaping/e-cigarette use in Hawaii and this is a multi-pronged approach to help curb it. Taxing tobacco products is a proven way to reduce youth initiation. Limiting online shipment of tobacco products to those with a license will reduce access to electronic smoking devices for our youth. Allocation of funds from taxes on these tobacco products towards education and prevention programs will raise awareness about the health risks of electronic cigarette use which are still widely unknown or underestimated in our community. As a nurse with training as a tobacco cessation specialist, I have seen first-hand how hard it is for people to quit tobacco; so much better for us to keep our keiki from getting addicted in the first place!

Mahalo,

Kathleen Hagan, MS, APRN, ANP-BC

LATE

SB-2902

Submitted on: 2/12/2020 6:23:43 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

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

Comments:

LATE

SB-2902

Submitted on: 2/12/2020 7:05:18 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashlee Klemperer	Individual	Support	No

Comments:

February 12th, 2020

Re: Support of SB2902 - Relating to Tobacco Products

Senate Committee on Commerce, Consumer Protection, and Health Members and Chair,

I wish to submit testimony in support of HB2346 - Relating to Tobacco Products. As a social worker, substance prevention specialist, and parent I ask you desperately to pass this bill and take a major step towards protecting our youth. The need for regulation and taxation of e-cigarettes is absolutely vital in our efforts to combat the sweeping epidemic of youth vaping.

As the e-cigarette/vaping industry has operated without any regulations or parameters the accessibility of this product has been a great contributing factor that influences youth use. Our state is losing this battle and the only way forward is to regulate and tax these products heavily. The elimination of online sales is imperative to limiting the accessibility as youth in Maui County specifically talk about how they primarily purchase these products from online retailers.

Thank you, committee members and chair and please pass this bill to save lives and protect the youth of Hawaii.

Ashlee Klemperer, MSW

851 S Kihei Rd, Apt O103

Kihei, HI 96753

LATE

February 12, 2020

Strong Support of SB2902 RELATING TO TOBACCO PRODUCTS.

To the House of Representatives

Hrg: Thursday, February 13, 2020, 9:30 AM, Conference Room 229

I strongly support SB2902 RELATING TO TOBACCO PRODUCTS, which establishes the offense of unlawful shipment of tobacco products.

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.

Again, I strongly support SB2902 RELATING TO TOBACCO PRODUCTS and ask you to pass this out of committee.

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

LATE

SB-2902

Submitted on: 2/12/2020 8:36:27 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

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

Comments:

I support passing this bill due to the following reasons:

- Hawai'i has one of the highest rates of youth e-cigarette use in the nation.
- Tobacco taxes are a proven strategy that discourages use of these products, especially among price-sensitive youth.
- It's important to allocate tobacco taxes to fund youth prevention and education programs.
- Restricting online sales to retailers only will help to limit access to underage youth.

Thank you for taking action on behalf of our Keiki today!

LATE

SB-2902

Submitted on: 2/12/2020 8:41:53 PM
Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Debbie Erskine	Individual	Support	No

Comments:

Aloha,

I'm a mother of two children, 12 and 8 years old. And, my mother died from lung cancer. She started smoking as a teenager prior to the risks of smoking cigarettes was fully understood.

I'm in favor of regulation and taxation as a means of making e-cigarette products less accessible to young people. And, using funds from taxation for education purposes.

Debbie

LATE

SB-2902

Submitted on: 2/12/2020 10:10:40 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Y Omura	Individual	Support	No

Comments:

My name is Diane Omura and I am a retired health educator from the island of Maui. My focus has been on reducing teen risks while promoting safety and wellness. The students in the Baldwin Peer Education program and I have fought hard in preventing vape use among youth. Thanks to the comprehensive and continued training received from Kate Folio and the Coalition for Tobacco Free Maui, my students were motivated and well prepared to share knowledge among their peers. However, about four years ago the students realized that education alone could not stop the trend and got involved in the legislative process. Last year the students were extremely dismayed that the flavor ban failed despite repeated submissions of their testimonies. Now that premature deaths have made the headlines, please do the right thing and pass SB 2902 that will regulate e-cig as tobacco products. This bill will require licensing, taxation, impose online sales restrictions and allow funding for prevention programs. Thank you for your consideration

LATE

SB-2902

Submitted on: 2/12/2020 10:18:47 PM

Testimony for CPH on 2/13/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis Barger	Individual	Support	No

Comments:

Aloha Kakou,

I am a health educator who has worked to reduce smoking rates in youth and adults for many years - decades. SB2902 is necessary to control a greedy industry that only thinks of profits and not the health or real people, especially youth.

I am in favor of regulating the industry for the following reasons:

1. 81% of youth who ever used tobacco products started with a flavored product, and more than half of youth smokers use menthol cigarettes.
2. Tobacco companies are making and marketing deadly and addictive products that look and taste like our favorite childhood flavors, such as Hawaiian POG, Ono Orange Cream, and Halawa Guava.
3. I oppose penalizing youth. We need to hold the industry accountable through regulations instead of punishing youth who have fallen prey to their predatory marketing tactics.

Mahalo, Kahu Dennis F. Barger