

DAVID Y. IGE
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To: The Honorable Donovan M. Dela Cruz, Chair;
The Honorable Gilbert S.C. Keith-Agaran, Chair;
and Members of the Senate Committee on Ways and Means

The Honorable Karl Rhoads, Chair;
The Honorable Jarrett Keohokalole, Vice Chair;
and Members of the Senate Committee on Judiciary

From: Isaac W. Choy, Director
Department of Taxation

Date: Tuesday, April 5, 2022

Time: 10:05 A.M.

Place: Written Testimony Only, State Capitol

Re: H.B. 598, H.D. 2, S.D. 1, Relating to Tobacco Products

The Department of Taxation (Department) offers the following comments regarding H.B. 598, H.D. 2, S.D. 1, for your consideration.

H.B. 598, H.D. 2, S.D. 1, makes numerous amendments to chapter 245, Hawaii Revised Statutes, including creating a new offense for unlawful shipment of tobacco products, repealing a related section dealing with delivery sales of tobacco products, raising tobacco wholesaler license and retailer permit fees, requiring retailers to specify whether they sell electronic smoking devices, taxing those electronic smoking devices, modifying tobacco tax allocation, and repealing the Electronic Smoking Device Retailer Registration Unit. The bill has a defective effective date of July 1, 2050.

First, the Department notes that it appreciates the method by which this measure imposes the tobacco tax on electronic smoking devices by including electronic smoking devices in the definition of "tobacco products." By incorporating the new imposition into the existing tobacco tax regime, this Department will be able to begin administration with far less form and instruction changes compared to a completely new tax.

Additionally, the Department appreciates the increased wholesaler/dealer license fees and retail permit fees in sections 245-2 and 245-2.5, HRS, respectively. In most cases, the current fee amount does not cover the cost to the State to issue the license or permit.

Finally, should the committees insert a non-defective effective date, the Department respectfully requests that the effective date be amended to be January 1, 2023 or January 1, 2024. These dates avoid a mid-year change for the calendar year taxpayer and ease administration and compliance for the Department.

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



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2022**

ON THE FOLLOWING MEASURE:

H.B. NO. 598, H.D. 2, S.D. 1, RELATING TO TOBACCO PRODUCTS.

BEFORE THE:

SENATE COMMITTEES ON WAYS AND MEANS AND ON JUDICIARY

DATE: Tuesday, April 5, 2022 **TIME:** 10:05 a.m.

LOCATION: State Capitol, Room 211 and Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Richard W. Stacey,
Deputy Attorney General, at (808) 586-1203)

Chairs Dela Cruz and Rhoads and Members of the Committees:

The Department of the Attorney General (Department) supports this bill because it would provide the State with additional and necessary tools to help in the fight against Hawaii's youth vaping epidemic. The Department also provides the following comments.

The purposes of this bill are to (1) establish the offense of unlawful shipment of tobacco products; (2) add a new definition to chapter 245, Hawaii Revised Statutes (HRS), to include electronic smoking devices within chapter 245, HRS, allowing the Department of Taxation to tax and regulate vaping products; (3) raise the fees for obtaining a tobacco wholesaler/dealer license and a retail tobacco permit; (4) allocate a portion of the excise tax on cigarettes and tobacco products to health education and prevention programs for youth on the dangers of using electronic smoking devices; (5) require retailers to specify if their retail establishment sells electronic smoking devices when applying for or renewing a retail tobacco permit; and (6) repeal certain provisions of the HRS relating to delivery sales and electronic smoking devices.

For the offense of "unlawful shipment of tobacco products", subsection (a) on page 4, line 17, through page 5, line 5, does not contain any state of mind; however, subsections (c) and (d) state "if the person or entity knowingly ships or causes to be shipped" (Page 5, lines 15-20). For consistency and clarity, we recommend the

word "knowingly" be added on page 5, line 3, to read, "(2) **Knowingly** ships or causes to be shipped"

Section 2 of the bill at page 4, line 14, through page 6, line 12, essentially adopts the wording of section 245-16, HRS, which sets forth the offense of unlawful shipment of cigarettes. The bill replaces the term "cigarettes" with "tobacco products" to create a new offense.

It should be noted that subsection (b)(1) on page 5, lines 6 to 11, provides that the section shall not apply to the shipment of tobacco products that are "exempt from taxes as provided by section 245-3(b) or are otherwise exempt from the applicability of this chapter as provided by section 245-62[.]" Section 245-62, HRS, states:

- (a) This chapter shall not apply to:
 - (1) Cigarettes allowed to be imported or brought into the United States ;
 - (2) Cigarettes sold or intended to be sold as duty-free ; or
 - (3) A delivery service when engaged in the business of transporting or delivering packages or other containers of cigarettes,

As section 245-62, HRS, only applies to cigarettes, the reference to section 245-62, HRS, at page 5, lines 8 to 11, should be stricken so that the paragraph reads:

- (1) The tobacco products are exempt from taxes as provided by section 245-3(b); or

Additionally, the definition of "electronic smoking device" on page 6, line 17, through page 7, line 8, makes reference to "aerosolized or vaporized nicotine" (page 6, line 18) and a "substance intended to be aerosolized or vaporized during the use of the device[.]" (page 7, lines 2-3). The Department suggests that the definition of "electronic smoking device" be amended to track the definition from Senate Bill No. 3119 (2022) (page 9, line 20, to page 10, line 8) to read as follows:

"Electronic smoking device" means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to an electronic cigarette, electronic cigar, electronic pipe, vape pen, or electronic hookah. "Electronic smoking device" includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by the device, whether or not the substance contains nicotine. Electronic

smoking device does not include drugs, devices, or combination products authorized for sale by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

Expanding the definition of "electronic smoking device" to include "any substance" would take into account that not all aerosolized or vaporized substances used in electronic smoking devices contain nicotine. This amended definition adds clarity by using a common term that will be clearly understood by applicants for a retail tobacco permit.

The definition for "electronic smoking device" does not include the term e-liquid. For clarity, a definition of "e-liquid" should be added as a definition to section 245-1, HRS. The Department recommends the following definition of "e-liquid" from Senate Bill No. 3119 (2022) (page 9, lines 11-19) to be inserted in section 3, and to read as follows:

"E-liquid" means any liquid or like substance, which may or may not contain nicotine, that is designed or intended to be used in an electronic smoking device, whether or not packaged in a cartridge or other container. "E-liquid" shall not include prescription drugs; cannabis for medical use or manufactured cannabis products pursuant to chapter 329D; or medical devices used to aerosolize, inhale, or ingest prescription drugs, including manufactured cannabis products manufactured or distributed in accordance with section 329D-10(a).

If inserting this definition for "e-liquid", we also recommend amending page 6, lines 15-16, to read, "1. By adding **two** new definitions to be appropriately inserted"

For clarity, the Department also recommends amending the definition of "tobacco products" found on page 7, line 11, to page 8, line 8, to track the definition of "tobacco products" in Senate Bill No. 3119 (2022) (page 10, line 11, to page 11, line 11), to read as follows:

""Tobacco products" means ~~[tobacco in any form,];~~
(1) Any product containing, made of, or derived from tobacco or nicotine, other than cigarettes or little cigars, that is [prepared or] intended for human consumption [or for personal use by humans,] or is likely to be consumed whether inhaled, absorbed, or ingested by any other means, including but not limited to large cigars and any substitutes thereof other than cigarettes that bear the semblance

thereof, and including snuff, snus, chewing or smokeless tobacco, and smoking or pipe tobacco[-], or

(2) Any electronic smoking device as defined in this section and any substance, including e-liquids, that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine, or

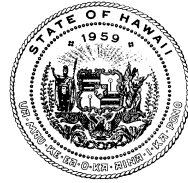
(3) Any component, part, or accessory of any item described in paragraph (1) or paragraph (2), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, or pipes.

"Tobacco products" does not mean drugs, devices, or combination products authorized for sale by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act."

Based on these suggested amendments, the Department recommends inserting clarifying wording in section 5 on page 9, lines 8-10, to read "In applying for or renewing a retail tobacco permit, the applicant shall specify whether each place of business sells **e-liquid, electronic smoking devices, or both.**" This clarifying wording should also be added to page 9, lines 14-15, to read ". . . and whether the place of business sells **e-liquid, electronic smoking devices, or both.**"

Finally, in section 8, this bill repeals part XII of chapter 28, HRS (page 16, lines 7 to 8), which established the Electronic Smoking Device Retailer Registration Unit. The Department strongly supports the repeal of part XII of chapter 28, HRS, because this bill would require retailers that apply for a retail tobacco permit to specify if their place of business sells electronic smoking devices. Including electronic smoking devices under the purview of the Department of Taxation is preferred as it would conserve resources and make the regulation of electronic smoking devices a more efficient process for retailers and the State. The Electronic Smoking Device Retailer Registration Unit is therefore duplicative and unnecessary.

We respectfully ask the Committees to pass this bill with the suggested amendments. Thank you for this opportunity to provide written comments.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
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WRITTEN TESTIMONY ONLY

**Testimony in SUPPORT of H.B. 598, H.D. 2, S.D. 1
RELATING TO TOBACCO PRODUCTS**

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: 4/5/2022

Room Number: 211 and
Videoconference

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 House Bill 598, House Draft 2, Senate Draft 1
5 (H.B. 598, H.D. 2, S.D. 1) with proposed amendments as a critical public health and social
6 justice measure to end the youth tobacco epidemic in Hawaii through the prohibition of online
7 sales to customers, defining and taxing electronic smoking devices (ESDs) as tobacco products,
8 requiring and providing for sustainable licensing and permitting mechanisms, and eliminating
9 delivery sales of tobacco products. The DOH recommends adding a new definition for “e-
10 liquid,” and replacing the definitions for “electronic smoking device” and “tobacco product” to
11 provide clarity and consistency across definitions.

12 ESDs are the most commonly used tobacco product among youth in Hawaii. High school
13 youth experimentation with ESDs grew from 22% in 2015 to 48% in 2019. In 2015, over one in
14 four (25.5%) high school students reported being a current user, and today it is almost one in
15 three (30.6%). Regular use is highest for Native Hawaiian youth at 42% and neighbor island

1 counties, Kauai and Maui (36%), and Hawaii (35%).¹ The normalization of tobacco use is a
2 public health threat to the current health and mental health of our children, and for their health
3 outcomes and quality of life.^{2,3,4}

4 Currently, ESDs are not taxed in Hawaii like other tobacco products and often can be
5 purchased at lower prices than cigarettes. According to the U.S. Surgeon General, increasing the
6 price of tobacco products is the single most effective way to reduce consumption.⁵ A recent
7 economic study by the University of Illinois, confirmed that increasing the price of ESDs by
8 10% can lead to a 10% to 18% reduction in the demand and consumption of ESDs – a higher
9 price elasticity compared to combustible cigarettes. Increasing the price of tobacco products has
10 the greatest impact on youth, who are particularly price sensitive.⁶ The imposition of an excise
11 tax equal to 70% of the wholesale price of each ESD would be consistent and provide parity with
12 other tobacco products in Hawaii.

13 The DOH supports the restriction of shipping tobacco products to anyone other than a
14 licensed wholesaler. Unregulated shipping (or importing) of tobacco products, particularly,
15 ESDs ordered online, has created a dangerous loophole, by providing an appealing and
16 accessible option for underage users. In the current unregulated online market, youth easily and
17 often circumvent the age verification process for purchasing tobacco. Minors were successful

¹ Hawaii State Departments of Health and Education, Hawaii Health Data Warehouse, Youth Risk Behavior Survey. [YRBS 2019](#). Accessed 3-17-2021.

² National Academies of Sciences, Engineering, and Medicine. 2018. Public health consequences of e-cigarettes. Washington, DC: The National Academies Press. doi: <https://doi.org/10.17226/24952>.
National Academies of Sciences, Engineering, and Medicine. 2018. Public Health Consequences of E-Cigarettes. Washington, DC: The National Academies Press. <https://doi.org/10.17226/24952>.

³ Park-Lee E, Ren C, Sawdey MD, et al. Notes from the Field: E-Cigarette Use Among Middle and High School Students — National Youth Tobacco Survey, United States, 2021. *MMWR Morb Mortal Wkly Rep* 2021;70:1387–1389. DOI: [http://dx.doi.org/10.15585/mmwr.mm7039a4external icon](http://dx.doi.org/10.15585/mmwr.mm7039a4external%20icon)

⁴ U.S. Department of Health and Human Services. E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2016.

⁵ U.S. Department of Health and Human Services. [Preventing Tobacco Use Among Youth and Young Adults: A Report of the Surgeon General](#). Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2012 [accessed 2018 Jan 22].

⁶ Chaloupka, F. Macro-Social Influences: The Effects of Prices and Tobacco Control Policies on the Demand for Tobacco Products, *1 Nicotine & Tobacco Research* S105 (Supp. 1 1999).

1 in buying ESDs online 93% of the time despite age restrictions according to the Internet
2 Tobacco Vendors Study (ITV), supported by the National Cancer Institute and the U.S. Food
3 and Drug Administration (FDA). Another study found that ESDs were often shipped from
4 internet vendors without instructions or health warnings. Due to the easy access for minors
5 through online marketing, public health researchers recommend more vigorous policies to
6 prohibit sales to minors.^{7,8}

7 Requiring licensure and retail permitting under the DOTAX would bring ESD and
8 vendors in alignment with the traditional tobacco retailers and would provide accurate data for
9 compliance surveillance. As of 2021, 33 states, the District of Columbia, the Northern Mariana
10 Islands, and the U.S. Virgin Islands required retailers to have a license to sell ESDs.⁹ Tobacco
11 licensing is an effective tool for limiting the negative public health consequences of tobacco use
12 by ensuring that wholesalers and retailers comply with responsible sales practices. Increasing
13 the licensure and permitting fees, which have remained unchanged since 1995, despite high
14 tobacco taxes and ever-increasing tobacco industry expenditures in marketing and advertising,
15 would be a further positive move.

16 The federal regulation on e-cigarette products is insufficient. The FDA has been too slow
17 to act, and children and youth in Hawaii need stricter State legislation to protect Hawaii's youth.
18 The DOH strongly supports H.B. 598, H.D. 2, S.D. 1 that places e-cigarettes into the existing
19 tobacco tax regulatory structure. The amendments on the following pages are requested to
20 provide clarity and consistency in the proposed definitions.

21

22

⁷ 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.

⁸ 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.

⁹ U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, STATE System Licensure Fact Sheet, <https://www.cdc.gov/statesystem/ecigarette.html>

1 **Offered Amendments:**

2 Section 3, page 6, line 17 through page 8, line 8, add a new definition for “E-liquid” and replace
3 the following definitions for “Electronic smoking device”, and “Tobacco products” with the
4 language outlined below:

5 Add a new definition for "E-liquid:"

6 **New Definition:** "E-liquid" means any liquid or like substance, which may or may not
7 contain nicotine, that is designed or intended to be used in an electronic smoking device,
8 whether or not packaged in a cartridge or other container. "E-liquid" shall not include
9 prescription drugs; cannabis for medical use or manufactured cannabis products pursuant
10 to chapter 329D; or medical devices used to aerosolize, inhale, or ingest prescription
11 drugs, including manufactured cannabis products manufactured or distributed in
12 accordance with section 329D-10(a).

13 Replace definition of "Electronic smoking device" with the language outlined below:

14 **Current definition:** ~~""Electronic smoking device" means any device that can be used to~~
15 ~~deliver aerosolized or vaporized nicotine to the person inhaling from the device,~~
16 ~~including but not limited to an e cigarette, e cigar, e pipe, vape pen, or e hookah.~~
17 ~~"Electronic smoking device" includes any component, part, or accessory of such device,~~
18 ~~whether or not sold separately, and includes any substance intended to be aerosolized or~~
19 ~~vaporized during the use of the device. "Electronic smoking device" does not include any~~
20 ~~battery or battery charger when sold separately. In addition, "electronic smoking device"~~
21 ~~does not include drugs, devices, or combination products authorized for sale by the~~
22 ~~United States Food and Drug Administration, as those terms are defined in title 21 United~~
23 ~~States Code Chapter 9."~~

24 **Revised Definition:** "Electronic smoking device" means any device that may be used to
25 deliver any aerosolized or vaporized substance to the person inhaling from the device,
26 including, but not limited to an electronic cigarette, electronic cigar, electronic pipe, vape
27 pen, or electronic hookah. "Electronic smoking device" includes any component, part, or
28 accessory of the device, and also includes any substance that may be aerosolized or

1 vaporized by the device, whether or not the substance contains nicotine. Electronic
2 smoking device does not include drugs, devices, or combination products authorized for
3 sale by the United States Food and Drug Administration, as those terms are defined in the
4 Federal Food, Drug, and Cosmetic Act.

5 Replace definition of "Tobacco products" with the language outlined below:

6 **Current definition:** ~~"Tobacco products" means [tobacco in any form,] any product,~~
7 ~~other than cigarettes or little cigars, that is [prepared or intended for consumption or for~~
8 ~~personal use by humans, including large cigars and any substitutes thereof other than~~
9 ~~cigarettes that bear the semblance thereof, snuff, chewing, or smokeless tobacco, and~~
10 ~~smoking or pipe tobacco.] made from or derived from tobacco, or that contains nicotine,~~
11 ~~that is intended for human consumption or is likely to be consumed, whether smoked,~~
12 ~~heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including~~
13 ~~but not limited to a cigarette, cigar, pipe tobacco, chewing tobacco, snuff, or snus.~~
14 ~~"Tobacco products" also means electronic smoking devices and any component or~~
15 ~~accessory used in the consumption of a tobacco product, such as filters, rolling papers,~~
16 ~~pipes, and substances used in electronic smoking devices, whether or not they contain~~
17 ~~nicotine. "Tobacco products" does not include drugs, devices, or combination products~~
18 ~~authorized for sale by the U.S. Food and Drug Administration, as those terms are defined~~
19 ~~in title 21 United States Code chapter 9."~~

20 **Revised Definition:** "Tobacco products" means [~~tobacco in any form,~~]; (1) Any
21 product containing, made of, or derived from tobacco or nicotine, other than cigarettes or
22 little cigars, that is [prepared or] intended for human consumption [or for personal use by
23 humans,] or is likely to be consumed whether inhaled, absorbed, or ingested by any other
24 means, including but not limited to large cigars and any substitutes thereof other than
25 cigarettes that bear the semblance thereof, and including snuff, snus, chewing or
26 smokeless tobacco, and smoking or pipe tobacco[-], or (2) Any electronic smoking
27 device as defined in this section and any substance, including e-liquids, that may be
28 aerosolized or vaporized by such device, whether or not the substance contains nicotine,

1 or (3) Any component, part, or accessory of any item described in paragraph (1) or
2 paragraph (2), whether or not any of these contains tobacco or nicotine, including but not
3 limited to filters, rolling papers, blunt or hemp wraps, hookahs, or pipes. "Tobacco
4 products" does not mean drugs, devices, or combination products authorized for sale by
5 the United States Food and Drug Administration, as those terms are defined in the
6 Federal Food, Drug, and Cosmetic Act.

7 Thank you for the opportunity to testify on this measure.

HB-598-SD-1

Submitted on: 4/2/2022 1:24:13 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Support	Written Testimony Only

Comments:

Strongly Support **HB598 HD2 SD1 for the health of our people.**

E-cigarettes have rapidly gained popularity among Hawaii's youth, hurting their health and addicting them to nicotine. **Enacting tobacco taxes and restricting online sales will make it harder for youth to access these dangerous products.**

People before profit.

www.WeAreOne.cc

HB-598-SD-1

Submitted on: 4/2/2022 4:54:14 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Alec Marentic	Testifying for Hawaii Association of School Psychologists	Support	Written Testimony Only

Comments:

The Hawaii Association of School Psychologists supports this bill.

HB-598-SD-1

Submitted on: 4/2/2022 6:02:56 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Bev Brody	Testifying for Get Fit Kauai	Support	Written Testimony Only

Comments:

Get Fit Kauai Strongly Supports HB 596 and thanks you for the opportunity to testify.

E-cigarette use is skyrocketing, particularly among youth. In Hawaii one in three high school students and one in five middle school students report “current use” of e-cigarettes (2019 YRBS). E-cigarettes are now the most popular tobacco product among youth – and that’s largely because it’s not subject to many of the regulations other tobacco products are subject to. By implementing the same policies and regulations Hawai’i used to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use.

In addition to acute poisoning risks, vaping nicotine has been shown to affect your heart health. Nicotine raises your blood pressure and spikes your adrenaline, resulting in increased heart rate and greater risk of a heart attack. In addition, studies have shown it also negatively impacts adolescent brain development.

Increasing price is one of the most effective ways to reduce commercial tobacco initiation and increase quit attempts. Applying a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price) is a meaningful price increase that is needed to reduce e-cigarette use among youth.

We urge you to please support this bill.

Mahalo.



Hawaii COPD Coalition
700 Richards St., Suite 2410
Honolulu, HI 96813
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(808)699-9839

April 3, 2022

Honorable Chairs Senator Rosalyn Baker and Donovan Dela Cruz
Honorable Vice-Chairs Senator Stanley Chang and Gilbert S C Keith-Agaran
Members of the Senate Commerce and Consumer Protection and Ways & Means Committees

RE: Strong Support of HB598,HD2,SD1 Relating to Tobacco Products

Dear Chairs Baker and Dela Cruz, Vice Chairs Chang and Keith-Agaran, and members of the Commerce and Consumer Protection and Ways & Means Committees,

This measure is extremely critical to the health of the children of our state and our entire state as well. Please vote in favor of **HB598,HD2,SD1** which will establish the offense of unlawful shipment of tobacco products and include electronic smoking devices in the definition of tobacco products and appropriately tax it, as well as restricting delivery sales to licensed tobacco sellers.

I am Executive Director of the Hawaii COPD Coalition and serve over 45,000 Hawaii adults diagnosed with COPD in Hawaii (with an estimated equal number still undiagnosed). Chronic Obstructive Pulmonary Disease or COPD is an umbrella of diseases which include emphysema, chronic bronchitis and chronic asthma. Since 2007, I have worked in Hawaii, nationally and internationally with countless people who have had their lungs and lives horribly affected by tobacco and nicotine. Many of these people have become disabled and unable to perform jobs and hobbies they enjoyed, spending a lot more time and resources with healthcare providers than they or any of us would like. Many started smoking when they were children and didn't understand the dangers and potential addiction that ensnared them.

We are grateful that this legislature has been the first in the nation to pass legislation banning the sale of tobacco and electronic smoking devices to people under 21 in Hawaii. Unfortunately, that doesn't stem the growing epidemic of young people and adults in our state who are smoking electronic smoking devices, commonly referred to as ESDs, e-cigs, or vaping, with **one in three of the high school students and one in five middle school students in Hawaii using such devices (2019 YRBS)**. This is extremely concerning since nicotine is known to be a HIGHLY addictive drug and impacts the developing brain. Pediatricians have reported the brain continues to develop and grow until the young adult is 26 years old!

Our youth epidemic has been exploding due to the availability of untaxed electronic smoking devices. We NEED this regulation to help protect our next generation. We have been working for over seven years to try to stem this terrible epidemic with our wonderful legislature but it

spreads unchecked because of lack of regulation. **Taxing tobacco products and cigarettes in a meaningful amount (70% of wholesale price) is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit. Restricting online sales and requiring transactions to be face-to-face purchases will make it harder for youth to obtain these products via internet.** Licensed tobacco retailers will still be able to receive shipments of products.

Please help protect the lungs and lives of our children from these very harmful products that are spreading virally in our schools, from elementary through high school and beyond. We urge you to please **vote in favor of HB598,HD2,SD1** and pass it out of committee with a correct effective date so it can become law. The Hawaii COPD Coalition thanks you very much for your careful consideration of this most important and timely bill.

Very truly yours,

Valerie Chang

Valerie Chang
Executive Director

COMMITTEE ON JUDICIARY**Senator Karl Rhoads, Chair****Senator Jarrett Keohokalole, Vice Chair****COMMITTEE ON WAYS AND MEANS****Senator Donovan M. Dela Cruz, Chair****Senator Gilbert S.C. Keith-Agaran, Vice Chair****Tuesday, April 5, 2022 10:05 AM, Conference Room 211****Support for House Bill 598 House Draft 2, Senate Draft 1 Relating to Tobacco 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 in Hawaii supports House Bill 598, House Draft 2, Senate Draft 1.

This version of the bill restores the definition of “tobacco products” that was part of the original draft of this legislation to include electronic smoking devices, which is crucial towards ending the vaping epidemic in Hawaii’s youth. This bill will amend Chapter 245 definition of tobacco products to include the definition of all devices used to delivery aerosolized or vaporized nicotine and its components that are used in the consumption of tobacco products. By adding the definition of tobacco products to include all electronic smoking devices and their components, we can bring tax parity amongst the various tobacco products. Research has shown that increasing taxes on tobacco products is a deterrent for tobacco use, particularly in youth.

This bill would also require licensing/permitting for e-cigarette sellers, prohibit the online sale of tobacco products, increase the fee for tobacco permits and licenses, and dedicate \$750K per year to the Tobacco Prevention & Control Trust Fund for youth e-cigarette prevention and education programs. These are all essential components to prevent the use to tobacco use, including vaping, particularly amongst our youth.

The need for Hawaii to protect youth from tobacco is more urgent than ever, with youth e-cigarette use reaching epidemic levels. According to the Centers for Disease Control, in 2019 nearly every 1 in 3 high schoolers in Hawaii vape regularly. This is an over 70% increase in youth vaping rates since 2017. Native Hawaiians and Pacific Islanders have even higher vaping rates than the youth state average.¹

The American Lung Association in Hawaii urges legislators to continue to support and advocate for policies to protect youth from tobacco use through tax parity. We support the current version of House Bill 598 and ask your committees to pass the measure.

Mahalo,

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

¹ American Lung Association. *State of Tobacco Control – Hawaii*. 2020



**Testimony to the Senate Joint Committee on Ways and Means and Judiciary
Tuesday, April 5, 2021; 10:05 a.m.
State Capitol, Conference Room 221
Via Videoconference**

RE: HOUSE BILL NO.0598, HOUSE DRAFT 2, SENATE DRAFT 1, RELATING TO TOBACCO PRODUCTS.

Chair Dela Cruz, Chair Rhoads, 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** House Bill No. 0598, Senate Draft 1, RELATING TO TOBACCO PRODUCTS.

By way of background, the HPCA represents Hawaii's Federally Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines to over 150,000 patients each year who live 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.

The bill, as received by your Committee, would:

- (1) Establish the offense of unlawful shipment of tobacco products;
- (2) Including electronic smoking devices in the definition of "tobacco products";
- (3) Increase the licensing 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 concerning the risks and dangers of the use of electronic smoking devices for youth; and

- (6) Repeal various statutory provisions relating to electronic smoking devices.

This bill would take effect on July 1, 2050, to facilitate further discussion.

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 harms our citizenry on a generational basis with people experimenting at even earlier ages.

We note that this bill was based on legislation offered by the American Cancer Society of Hawaii (ACS-CAN) and commend them for their steadfast efforts to protect the health and welfare of our citizens. It is for this reason that the HPCA joins ACS-CAN 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.



Osa Tui, J
President
Logan Okita
Vice President
Lisa Morrison
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENTATE COMMITTEE ON WAYS & MEANS and
THE COMMITTEE ON JUDICIARY

RE: HB 598, HD2, SD1 - RELATING TO TOBACCO PRODUCTS

TUESDAY, APRIL 5, 2022

OSA TUI, JR., PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

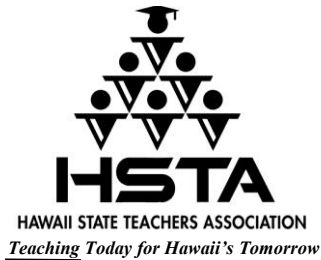
Chair Dela Cruz, Chair Rhoads, and Members of the Committees:

The Hawaii State Teachers Association **supports HB 598, HD2, SD1**, relating to tobacco products. This bill establishes the offense of unlawful shipment of tobacco products. 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 concerning the risks and dangers of the use of electronic smoking devices for youth. Repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices.

We support this bill because it creates policy parity between e-cigarettes and other tobacco products by:

- Applying a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price) – a meaningful price increase that is needed to reduce e-cigarette use among youth.
- Requiring licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations.
- Restricting online sales – requiring face-to-face purchases makes it harder for youth to obtain these products via the internet. Licensed tobacco retailers would still be able to receive shipments of products.

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/vaping industry be on par with the regulation of traditional tobacco products. As such, this bill does what we should do, which is to align taxation of electronic smoking device products to that of other tobacco products. Because taxation of tobacco products is a proven strategy to reduce usage among youth, this bill would help deter children from not only trying e-cigarettes but also from becoming habitual users of these products.



Osa Tui, J
President
Logan Okita
Vice President
Lisa Morrison
Secretary-Treasurer
Wilbert Holck
Executive Director

Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit. Licensing and permitting of retailers and wholesalers are critical for education and enforcement of existing laws.

Furthermore, the allocation of a portion of excise tax funds to go towards health education, prevention, and nicotine cessation programs extends protections for our youth and goes hand in hand with the regulations outlined in this bill as well as a portion of the collections going to our state's general fund to shore up our lost revenue as a state.

We oppose any increase of any fines for youth that may be suggested as an addition to this bill. It is the predatory tactics of the vaping industry on our youth that need to be regulated and taxed. So please do NOT add any fines or punishment on our youth who are the victims here. Thank you for NOT including them in this bill.

Because research shows that increasing the cost of tobacco products, through taxes, decreases the amount used by youth. The price point does matter. We respectfully ask you to support this bill.



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

Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Senate Committees on Ways and Means and on Judiciary

Re: **HB 598, HD2, SD1 - Relating to Tobacco Products**
Hawai'i State Capitol, Conference Room 211 & Videoconference
April 5, 2022, 10:05 AM

Dear Chairs Dela Cruz and Rhoads, Vice Chairs Keith-Agaran and Keohokalole, and Committee Members,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in SUPPORT of HB 598, HD2, SD1, relating to tobacco products. This bill would regulate e-cigarettes as tobacco products via licensing and permitting, taxation, restriction of online shipments, and the dedication of substantial funds tobacco prevention and control programs.

Hawai'i's youth report some of the highest vaping rates in the nation. In 2020, the Centers for Disease Control and Prevention (CDC) announced that nearly half (48.3 percent) of Hawai'i high school students and 3 in 10 (30.6 percent) of middle school students have ever tried e-cigarettes.¹

This bill would create parity between e-cigarettes and other tobacco products on many levels. By applying the same tobacco prevention policies and regulations that have already been proven in Hawai'i to reduce cigarette use dramatically, we can bring down our unacceptably high rates of youth e-cigarette use.

Currently, e-cigarettes are the only tobacco products without a tax in Hawaii. The evidence shows that taxing tobacco products reduces youth initiation and encourages tobacco users to quit. In addition, currently no tobacco taxes are being allocated for tobacco prevention and control programs.

Tobacco use is also a health equity and social justice issue. According to the CDC,² approximately 3 in 10 (31 percent) of Hawai'i high school students and nearly 2 in 10 (18 percent) of Hawaii middle schoolers are current e-cigarette users. For Native Hawaiian and Pacific Island youth, these numbers climb to 4 in 10 (40 percent) for high school and 3 in 10 (30 percent) for middle school students.

Hawai'i needs to take action to tackle our growing youth vaping epidemic. Our state was successful in reducing cigarette use to record lows through policy, prevention, education, and cessation programs. We can and should reverse the trends in youth e-cigarette use by implementing proven policies.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Thank you,
Nicole Woo, Director of Research and Economic Policy

¹ <https://www.lung.org/media/press-releases/hawaii-vaping-rates>

² <https://www.cdc.gov/healthyyouth/data/yrebs/index.htm>



ALOHACARE

To: The Honorable Senator Donovan Dela Cruz, Chair
The Honorable Senator Gilbert Keith-Agaran, Vice-Chair
Committee on Ways and Means

The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Jarrett Keohokalole, Vice-Chair
Committee on Judiciary

From: Peggy Mierzwa, Community and Government Relations Manager

Hrg: April 5, 2025

RE: **HB598 HD2 SD1 Relating to Tobacco Products – Support**

AlohaCare appreciates the opportunity to provide testimony in support of **HB598 HD2 SD1**, which is a measure intended to regulate e-cigarettes by taxing electronic smoking devices as tobacco products, closing online purchasing loopholes, requiring permitting and licensing, and dedicating funds for tobacco prevention and education programs.

Founded in 1994, AlohaCare is a community-rooted, non-profit health plan serving over 80,000 Medicaid and dual-eligible health plan members on all islands. It is the only state health plan exclusively serving Medicaid patients. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating access to quality health care for all. We believe that health is about supporting whole-person care, including access to housing and food security, to build a stronger, healthier Hawai'i.

AlohaCare applauds this measure's approach to regulate electronic smoking devices and protect public health. AlohaCare believes that taxation on e-cigarettes in addition to regulating the online shipment of tobacco products is necessary to improve the health of Hawai'i's keiki and protect them from becoming the next generation addicted to nicotine.

It is important to treat all ESDs and e-liquids as tobacco products for the protection of public health. Increasing prices through taxation is a proven strategy to reduce consumption and initiation of tobacco products. Tobacco consumption results in health problems that creates hundreds of millions in added health care costs for the State and contributes to health disparities and poor health outcomes.

AlohaCare believes that this measure will help to regulate an industry that has contributed to the public health crisis that resulted in an outbreak of 2,807 e-cigarette or vaping product use-associated lung injury (EVALI) cases or deaths. [A 2020 Stanford study](#) has found that young adults who vape were five to seven times more likely to get the COVID-19 virus. In 2020, AlohaCare alone spent \$13.9 million to treat about 6,140 members for tobacco and vaping-related illness, the youngest of whom was 10 years old. Among adult tobacco users, 24.2% were being treated for a serious chronic condition. On average, health care costs are 154% higher for AlohaCare members who are tobacco users than non-tobacco users.

1357 Kapiolani Blvd., Suite 1250, Honolulu, Hawaii 96814
Call: 973-0712 • Toll-free: 1-877-973-0712 • Fax: 808-973-0726 • www.AlohaCare.org



ALOHACARE

In addition, AlohaCare is concerned with the rising rates of youth being diagnosed with nicotine dependence and vaping-related disorders. Greater tobacco regulation will help to lower tobacco related Medicaid health care costs and make available more resources to support other Medicaid beneficiary needs.

Hawaii is experiencing a youth vaping epidemic and we appreciate the Legislature's actions to protect our young people's health from the vaping and tobacco industry's efforts to get them addicted to life-threatening habits. Mahalo for this opportunity to testify on **HB598 HD2 SD1**.

1357 Kapiolani Blvd., Suite 1250, Honolulu, Hawaii 96814

Call: 973-0712 • Toll-free: 1-877-973-0712 • Fax: 808-973-0726 • www.AlohaCare.org



HAWAII

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MAILING ADDRESS

P.O. Box 23404
Honolulu
Hawaii 96823

April 4, 2022

TO: Chair Taniguchi and Members of the LCA Committee

RE: HB 598 HD2 SD1 Relating to Tobacco Products

Support for hearing on April 5

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support this bill as it is a measure to end the youth tobacco epidemic in Hawaii through the prohibition of online sales to customers, defining and taxing electronic smoking devices (ESDs) as tobacco products, requiring and providing for sustainable licensing and permitting mechanisms, and eliminating delivery sales of tobacco products.

Thank you for your favorable consideration.

Sincerely,

John Bickel, President



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KM Consulting LLC

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Pharmacare Hawai'i

Titiimaeta Ta'ase, JD
State of Hawai'i, Deputy Public
Defender

HIPHI Initiatives

Coalition for a
Tobacco-Free Hawai'i

Community Health
Worker Initiative

COVID-19 Response

Hawai'i Drug & Alcohol Free
Coalitions

Hawai'i Farm to School Hui

Hawai'i Oral Health Coalition

Hawai'i Public Health Training
Hui

Healthy Eating + Active Living

Kūpuna Food Security Coalition

Date: April 3, 2022

To: Senator Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Senate Committee on Judiciary

Re: Strong Support for HB 598 HD2, SD1, Relating to Tobacco Products

Hrg: April 5, 2022 at 10:05 AM, Conference Room 211 & via
Videoconference

The Coalition for a Tobacco-Free Hawai'i, a program of the Hawai'i Public Health Institute,ⁱ offers testimony in **Strong Support of HB 598, HD2, SD1**, which applies several tobacco regulations on electronic smoking devices (ESDs), including: (1) subjecting ESDs and e-liquids to the other tobacco product tax; (2) requiring wholesalers and retailers to obtain a license and a retail tobacco product; (3) increasing the price of the tobacco license and permit; and (4) restricting the shipment of tobacco products to anyone other than a licensee. The bill also allocates funding for health education and prevention programs relating to risks and dangers of ESD youth use; and repeals various statutory provisions relating to ESDs.

Comprehensive regulations on e-cigarettes are necessary to reverse the youth vaping epidemic.

Over two decades of tobacco prevention and control policy has helped Hawai'i save \$1 billion dollars in healthcare costs,ⁱⁱ lowered the adult smoking rate to 11.6% (eighth lowest in the nation),ⁱⁱⁱ and reduced smoking prevalence among high school students to 5.3% in 2019.^{iv} This was achieved through comprehensive smoke-free air laws, high tobacco taxes, age restrictions, removing most flavors in cigarettes, and investments in tobacco prevention education and cessation.

E-cigarettes have evaded many of the tobacco prevention and control laws other tobacco products are subject to, leading to the rise of e-cigarettes, undoing decades of progress. In 2019, 1 in 3 (30.6%) public high school students and nearly 1 in 5 (18%) public middle school students in Hawai'i reported that they use e-cigarettes.^v The state has an opportunity to reverse the youth vaping epidemic by implementing comprehensive policies and programs.

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. 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 2021 report estimates that subjecting ESDs to the other tobacco product tax (70% wholesale price) would generate \$7.3 million in revenue.^{vi} Raising taxes and increasing the price of tobacco products is a proven strategy to reduce consumption for both adults and youth.

Hawai'i voters support this tax parity. In a poll conducted by Ward Research Inc. for the Coalition in October 2021, 86% of registered Hawai'i voters were in support of taxing e-cigarettes at the same rate as cigarettes or other tobacco products.^{vii} The Coalition supports establishing an ESD tax and appreciates that this measure dedicates a portion of the tax revenue to tobacco prevention and control programs. 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.^{viii}

ESD licensing and permits protect both consumers and merchants.

The Coalition supports requiring ESD sellers and vendors to 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 strengthens federal regulations on the online sales of e-cigarettes.

The "Preventing Online Sales of E-Cigarettes to Children Act" expands the 2009 Prevent All Cigarette Trafficking (PACT) Act to cover electronic smoking devices, requiring age verification by online retailers and private delivery companies, labeling on packaging to indicate they contain tobacco products, compliance with state and local tobacco taxes, and prohibiting shipments of electronic smoking devices through USPS.^{ix} However, it exempted intrastate shipments in Hawai'i and Alaska. States have the authority to impose stricter regulations, and at least six states have laws that prohibit direct-to-consumer shipments of e-cigarettes. This measure would restrict shipments of ESDs to registered and licensed seller, allowing the State to enforce current tobacco selling and taxation laws and prevent underage youth from purchasing products online. According to the same independent poll conducted by Ward Research, 82% of Hawai'i registered voters support prohibiting online sales of ESDs and e-liquid.^x

E-cigarette use among youth and young adults continues to be a public health concern.

Because e-cigarettes remain unregulated, 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 cigarettes are dangerous and a health threat to youth and young adults.^{xi} 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."^{xii}

The rise of severe, sometimes fatal, lung infections associated with e-cigarettes was another scary reminder of e-cigarettes' unregulated nature and unknown harms. Also known as E-cigarette or vaping product use-associated lung injury (EVALI), this disease harmed otherwise healthy individuals. Over 2,800 people were hospitalized after experiencing symptoms ranging from shortness of breath to fever, and tragically resulted in 68 confirmed deaths as of February 2020.^{xiii}

The link between tobacco use and COVID-19 reinforces the need for regulations on e-cigarettes.

In May 2020, Stanford University published a landmark study^{xiv} that found **teens and young adults that use e-cigarettes had a five to seven times greater chance of being diagnosed with COVID-19 than those that did not use e-cigarettes.** This finding is incredibly concerning considering the high rates of youth e-cigarette use in Hawai'i. To put this into perspective, there are 52,759 high school students enrolled in Hawai'i public schools.^{xv} Using the most recent YRBS data, that translates to more than 16,000 Hawai'i high schoolers that used an e-cigarette in the last 30 days, and may be five to seven times more likely to be diagnosed with COVID-19 than their nonsmoking peers. Further, not only have e-cigarettes been linked to an increase risk of contracting COVID-19, but a recent study **once they are infected, youth who use e-cigarettes are more likely to experience COVID-19 symptoms.**^{xvi}

Global pandemic or not, these numbers are unacceptable, and there is an increased urgency for regulatory action in light of the increased risk of COVID-19. With no end in sight for the COVID-19 crisis, it is imperative that Hawai'i pass legislation to curb usage and protect the health of our keiki.

E-cigarettes are not FDA-approved tobacco cessation products.

In addition, e-cigarette manufacturers and retailers cannot legally make claims that e-cigarettes can help users quit smoking or that they are healthier than cigarettes. The deceptive health claims and aggressive marketing of these products has only increased tobacco use as people who have never smoked begin using e-cigarettes, children use e-cigarettes as a path to smoking, and smokers that use them to perpetuate their habit (dual use) instead of to completely quit. **A study has shown that for every one adult that quits smoking using e-cigarettes, 81 youth and young adults who would not have considered smoking, will become cigarette smokers, starting with e-cigarettes.**^{xvii} This is not a trade-off we can accept. We need to take action and regulate electronic smoking devices for our kids.

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 protect our youth from a lifetime of addiction. We respectfully urge the committees to **pass HB 598, HD2, SD1.**

Mahalo,



Amanda Fernandes, JD
Policy and Advocacy 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.

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- ii Holmes JR, Ching LK, Cheng D, Johnson L, Yap L, Starr RR and Irvin L. 2018. Tobacco Landscape. Honolulu: Hawai'i State Department of Health, Chronic Disease Prevention and Health Promotion Division
- iii Centers for Disease Control and Prevention (CDC). Behavioral Risk Factor Surveillance System Survey Data. Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, 2020.
- iv 2019 Youth Risk Behavior Surveillance System (YRBSS). Available at: www.cdc.gov/yrbs. Accessed on 02/07/2021.
- v *Id.*
- vi Chaloupka, F. J. *Revenue Potential of a Tax on E-Cigarettes in Hawaii*, University of Illinois at Chicago, 2021.
- vii This study by Ward Research, Inc. summarizes findings from a phone survey among n=805 Hawai'i registered voters (maximum sampling error +/-3.3%), conducted between October 7 – October 26, 2021.
- viii *Id.*
- ix Public Health Law Center. (2021, January 27). Deliver us from evil: E-cigarettes and the PACT Act. Retrieved from <https://www.publichealthlawcenter.org/webinar/deliver-us-evil-e-cigarettes-and-pact-act>.
- x Ward Research, 2021, *supra*.
- xi 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
- xii 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>
- xiii Centers for Disease Control and Prevention. (2020, February 25). "Outbreak of Lung Injury Associated with the Use of E-Cigarette, or Vaping, Products." Retrieved from https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html.
- xiv <https://med.stanford.edu/news/all-news/2020/08/vaping-linked-to-covid-19-risk-in-teens-and-young-adults.html>
- xv Hawai'i State Department of Education. "Department announces 2021-22 enrollment figures for public and charter schools," <https://www.hawaiipublicschools.org/ConnectWithUs/MediaRoom/PressReleases/Pages/2021-22-enrollment-figures-for-public-and-charter-schools.aspx>.
- xvi McFadden et. al., Symptoms COVID 19 Positive Vapers Compared to COVID 19 Positive Non-vapers (January 2022). Retrieved from <https://journals.sagepub.com/doi/full/10.1177/21501319211062672>.
- xvii Soneji S, Barrington-Trimis JL, Wills TA, et al. Association Between Initial Use of e-Cigarettes and Subsequent Cigarette Smoking Among Adolescents and Young Adults: A Systematic Review and Meta-analysis. *JAMA Pediatr.* 2017;171(8):788–797. doi:10.1001/jamapediatrics.2017.1488



Hawaii Dental Association

To: Senate Committee on Judiciary
Senate Committee on Ways and Means

Time/Date: 10:05 A.M., April 5, 2022

Location: State Capitol Room 211 and Via Teleconference

Re: HB 598 HD2 SD1, Relating to Tobacco Products

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Keohokalole, Vice Chair Keith-Agaran, and members of the committees:

The Hawaii Dental Association (HDA) is a professional association comprised of approximately 950-member dentists. **We are in support of HB 598 HD2 SD1**, relating to tobacco products. This bill establishes the offense of unlawful shipment of tobacco products, increases the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products, and increases the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products. Among other provisions, it allocates a portion of funds collected from excise taxes on tobacco products to health education and prevention programs concerning the risks and dangers of the use of electronic smoking devices for youth.

HDA expresses its opposition to use of oral tobacco, including vaping nicotine from e-cigarettes, and urges people using any type of tobacco product to quit. Tobacco use is causally associated with higher rates of tooth decay, receding gums, periodontal disease, mucosal lesions, bone damage, tooth loss, jaw bone loss and more. That is why the Hawaii Dental Association, like the American Dental Association, is working with dentists, educators, public health officials, lawmakers, and the public to prevent and, hopefully, eliminate the use of all tobacco products. HDA supports regulatory and legislative action to ban the sale and distribution of all e-cigarette and vaping products, with the exception of those approved by the FDA for tobacco cessation purposes and made available by prescription only. We will continue to support legislation aimed at enhancing and promoting oral health.

HDA is a statewide membership organization representing dentists practicing in Hawaii and licensed by the State of Hawaii's Board of Dentistry. HDA members are committed to protecting the oral health and well-being of the people of Hawaii, from keiki to kupuna and everyone in between.

Mahalo for the opportunity to testify in support of HB 598 HD2 SD1.



April 5, 2022

Testimony of Eric Wright
President of the Hawaii Petroleum Marketers Association (HPMA)

HOUSE BILL 598 HD2 SD1 – RELATING TO TOBACCO PRODUCTS

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SENATE COMMITTEE ON WAYS AND MEANS
The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair

SENATE COMMITTEE ON JUDICIARY
The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair

Tuesday, April 5, 2022, 10:05 AM
Conference Room 211 & Videoconference

Aloha Chairs Dela Cruz and Rhoads, Vice Chairs Keith-Agaran and Keohokalole, and Members of the Committee:

I am Eric Wright, president of the Hawaii Petroleum Marketers Association (HPMA). HPMA is a nonprofit trade association comprised of members who market motor fuel products and operate convenience stores across the Hawaiian Islands.

House Bill 598 HD2 SD1 seeks to, among other things, increase the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes, electronic smoking devices, and tobacco products from \$20 to \$300.

HPMA comments on HB 598 HD2 SD1.

HPMA supports strict enforcement of laws that prohibit the sale and distribution of tobacco products to underage persons especially our youths. We take no position on most of the provisions in HB 598 HD2 SD1, but would like to offer comments on the proposed increase in the retail tobacco permit fee.

Most local businesses are struggling to sustain and only begun to recover from revenue losses caused by the pandemic. This is simply not the time to increase our cost of doing business in Hawaii by increasing our retail tobacco permit fee from \$20 to \$300 which is a 1,400% increase.

Hawaii already has one of the highest tobacco taxes of any state. Attempting to increase the retail tobacco permit fee will increase prices to consumers, and will continue to drive away our loyal customers and encourage mail order or gray market purchases from exempt Indian reservation outlets as well as from sources outside the country.

Please also keep in mind that the retail tobacco permit fee was created to help pay for the permitting process, administration and enforcement, and was not meant to fund other programs.

Thank you for allowing HPMA the opportunity to comment on this bill.



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII**

April 5, 2022

Re: HB 598 HD2 SD1 Relating to Tobacco Products

Good morning, Chairperson Rhoads, and Chairperson Dela Cruz members of the Committee on Judiciary and the Senate Committee on Ways and Means. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901, RMH is a statewide, not for profit trade organization committed to the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, local, national, and international retailers, chains, and everyone in between.

We are in **STRONG OPPOSITION** to HB 598 HD2 SD1 Relating to Tobacco Products. This measure establishes the offense of unlawful shipment of tobacco products. 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 concerning the risks and dangers of the use of electronic smoking devices for youth. Repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices. Effective 7/1/2050.

This measure penalizes legitimate retailers by increasing the retail tobacco permit from \$20 to \$300 - a 1500% increase. Many retailers statewide are already operating on a thin margin and face stiff competition. Retail is one of the hardest hit industries during this pandemic. We see almost daily stores closing around our neighborhoods due to the affects this pandemic is having on our economy. Raising the tobacco tax and permit fee will truly hurt locally owned businesses, especially the small locally owned businesses' and may potentially force some of them to close. This would mean many small local businesses like the convenient corner store and locally owned vape stores would be gone and leaving our friends, family, and neighbors out of work.

While the assumption is that if tobacco products are too expensive, less people will purchase them. This is not the case. This pushes tobacco products to be even more desirable on the black market where prices are lower. Tobacco and vape products are one of the most desirable items that shoplifters target, even when we have them behind the registers or behind lock and key. And many of the goods sold on the black market have been stolen from retailers.

If the concern is to stop minors from obtaining vaping and smoking products, then the focus should be on cracking down on those who are illegally and intentionally letting minors obtain these products. The penalty should not be on those businesses who are following the law. The majority of the shops on our islands are responsible and have a policy that they will not sell a vape device or tobacco products to anyone 21 years old and under. Many of whom are underage are obtaining their cigarettes and vaping devices from their parents or older friends who purchase it for them or the minors are purchasing them on the black market. Retailers often go as far as to not selling to the adult that accompanies the minor into the store if it is revealed that the device or product that they are seeking to purchase is for the minor. Retailers have no control over their products once they are sold and the customer walks out the door with them. It is often the case that an adult family member or friend that purchases the vape devices or tobacco products for the minors and gives it to the minor away from the retail store.

Retailers like many businesses are struggling to survive and keep their employees employed. Many cannot afford an increase in doing business with astronomical higher fees which is essentially a tax. We hope that you will hold this bill.

Mahalo again for this opportunity to testify.

April 4, 2022

TO: Karl Rhoads, Chair
Jarrett Keohokalole, Vice Chair
Members of the Senate Committee on Judiciary

Donovan M. Dela Cruz, Chair
Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

FROM: Cigar Association of America, Inc.
(William Goo)

RE: **HB 598 HD2 SD1** - Relating to Tobacco Products
Hearing Date: April 5, 2022
Time: 10:05 am

The Cigar Association of America, Inc. (CAA) **opposes HB 598 HD2 SD1** which in part makes unlawful the shipment of tobacco products except to a licensee to the extent that it includes cigars. The primary focus of this bill is to address the rising use of electronic smoking devices (“ESG”) by youth in Hawaii. Cigars are primarily the choice and custom of mature, responsible and informed adults and are not the tobacco product of choice among Hawaii’s youth. There are or will be in place regulations at both the state and federal level on the shipment of ESGs. Therefore, any prohibition on the shipment of tobacco products unless to a licensee should exclude cigars.

Thank you for considering this testimony.



**American
Heart
Association.**

American Heart Association testimony in SUPPORT of HB 598, HD 2 “Relating to Tobacco Products”

The American Heart Association supports HB 598, HD2, SD1.

Chairman of the Board

Jason Fujita

President

Michael Lui, MD

Board Members

Rick Bruno, MD, FACEP

Greg Christian

Jackie De Luz

Brandt Farias

Mimi Harris

Glen Kaneshige

Zia Khan, MD

Brandon Kurisu

Michael Rembis, FACHE

Andrew S. Rosen

Timothy Slottow

David Underriner

Jennifer Walker

Cigarette smoking is responsible for more than 480,000 deaths per year in the United States, including more than 41,000 deaths resulting from secondhand smoke exposure. This is about one in five deaths annually, or 1,300 deaths every day. Total economic cost of smoking in the U.S. is more than \$300 billion a year, including nearly \$170 billion in direct medical care for adults. More than \$156 billion in lost productivity due to premature death and exposure to secondhand smoke. In Hawaii alone, it annually claims 1,100 lives each year and \$526 million in healthcare costs are directly attributed to smoking in our state.

Hawaii is in the midst of a youth epidemic concerning the use of electronic smoking devices. 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 e-cigarettes are often marketed as a less harmful alternative to traditional cigarettes, there’s limited evidence on the long-term health impact of their use. **What is known is that nicotine can have adverse health effects on kids, such as causing addiction to dangerous tobacco products, harming their brain development, and increasing the risk of heart disease. Recent studies have found that e-cigarettes decrease blood flow in the heart even more than traditional cigarettes and can worsen heart disease risk factors such as high cholesterol.**

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.

The aerosols in some e-cigarettes have been found to contain multiple chemicals known to be toxic and 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.

Serving Hawaii since 1948

Our Mission:

“To be a relentless force for a world of longer, healthier lives.”

For more information on the AHA’s educational or research programs, visit www.heart.org or contact your nearest AHA office.

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, used to de-ice airplanes, or glycerol) can be toxic when inhaled, 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.

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 are regulated to 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.

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.

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.

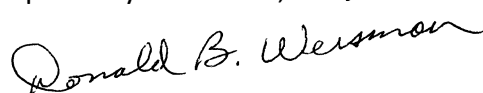
That's especially troubling because many studies in animals show nicotine is a neurotoxin (a poison affecting the nervous system). It can affect brain development from early fetal life through adolescence, permanently changing the ability to think or reason.

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, over 40 percent of Hawaii's youths have tried e-cigarettes, and 30 percent are now regular users. On neighbor islands, regular use of e-cigarettes by youths tops 30 percent.

The American Heart Association of Hawaii recommends support of HB598 SD1 as part of a more comprehensive approach (including restriction of tobacco flavors) needed to better control Hawaii's youth nicotine addiction epidemic.

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
Government Relations/Communications and Marketing Director

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: TOBACCO, Include Electronic Smoking Devices, Hike Fees

BILL NUMBER: HB 598, SD1

INTRODUCED BY: Senate Committees on Health and Commerce and Consumer Protection

EXECUTIVE SUMMARY: Establishes the offense of unlawful shipment of tobacco products. 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 concerning the risks and dangers of the use of electronic smoking devices for youth. Repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices.

SYNOPSIS: Adds a new section to chapter 245, HRS, to establish the offense of unlawful shipment of tobacco products.

Amends section 245-1, HRS, to define “electronic smoking device” as any device that can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including but not limited to an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. "Electronic smoking device" includes any component, part, or accessory of such device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use of the device. "Electronic smoking device" does not include any battery or battery charger when sold separately. In addition, "electronic smoking device" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in title 21 United States Code chapter 9.

Also amends the definition of “tobacco products” as any product, other than cigarettes or little cigars, that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including but not limited to a cigarette, cigar, pipe tobacco, chewing tobacco, snuff, or snus. "Tobacco products" also means electronic smoking devices and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and substances used in electronic smoking devices, whether or not they contain nicotine. "Tobacco products" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in title 21 United States Code chapter 9.

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

Amends section 245-2.5, HRS, to raise the annual fee for a retail tobacco permit from \$20.00 to \$300.00.

Amends section 245-15, HRS, to earmark \$750,000 annually to the Hawaii tobacco prevention and control trust fund (section 328L-5, HRS) to support health education and prevention programs concerning the risks and danger of the use of electronic smoking devices for youth.

Repeals part XII of chapter 28, HRS (sections 28-161 through 28-168), relating to Electronic Smoking Device Retailer Registration Unit.

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

Makes technical and conforming amendments.

EFFECTIVE DATE: 7/1/2050.

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

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

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

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

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

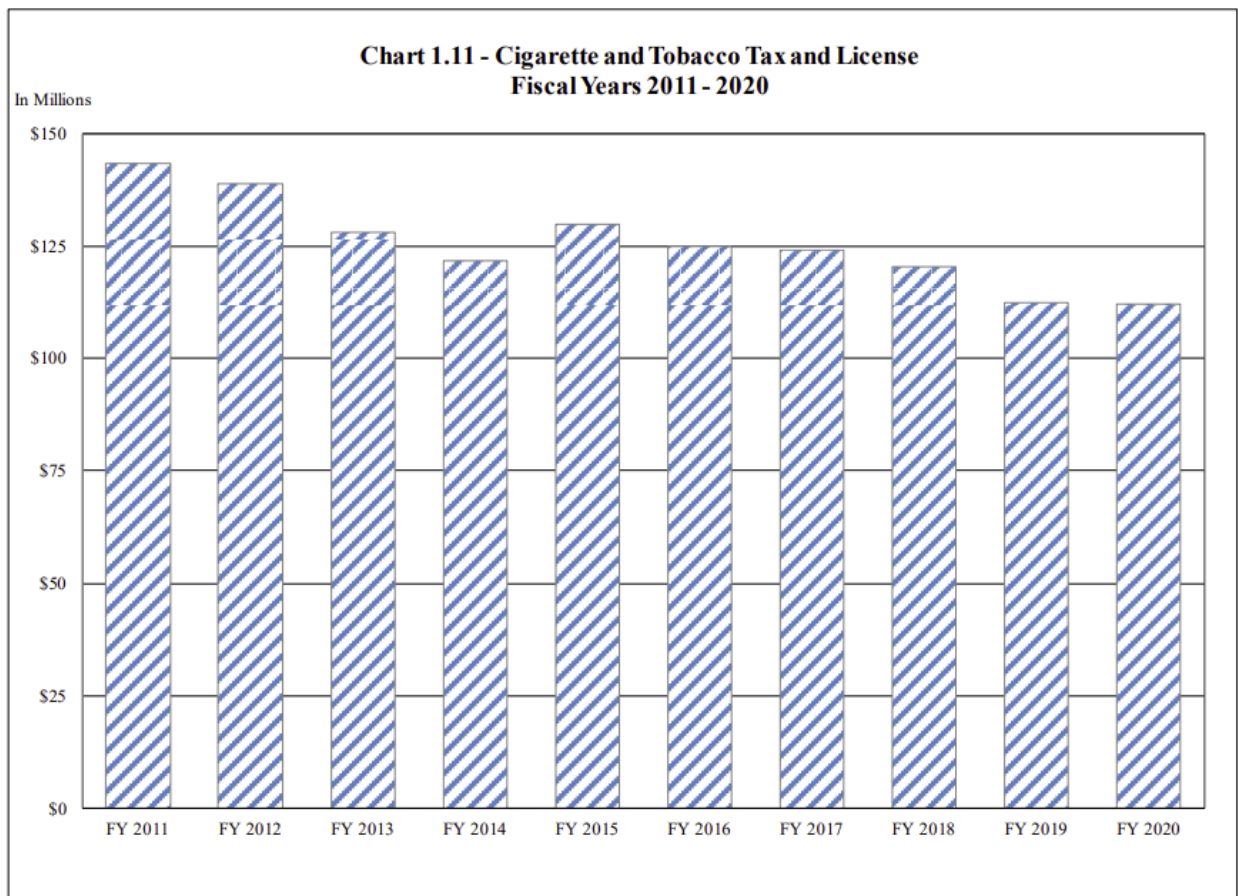
The irony is that arguments to increase the tax on tobacco and, more specifically, cigarettes, is a goal of getting smokers to quit while depending on the revenues from tobacco and cigarette taxes to fund an ongoing program, in this case the Cancer Research Center. So, which is it folks, stop smokers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

The fact of the matter is that it appears that both locally and nationally, higher taxes on cigarettes are influencing smokers as tax collections on the sale of cigarettes have fallen. Certainly some of the decline is due to smokers actually quitting, but to some degree one has to suspect that some purchases were made via mail order from exempt Indian

reservation outlets while others may be what is called gray market purchases, that is from sources outside the country.

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

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



Source: Department of Taxation Annual Report (2019-2020), page 23.

Fiscal reliance on funds from a sin tax is inadvisable, perhaps outright dangerous. If the goal is to affect social behavior, use of the tax law is not the most effective way to do so.

Digested 4/2/2021



American Cancer Society
Cancer Action Network
2370 Nu'uau Avenue
Honolulu, Hi 96817
808.432.9139
www.fightcancer.org

Senate Committee on Ways and Means
Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Hearing Date: Tuesday, April 5, 2022

ACS CAN SUPPORTS with Amendments HB598 HD2 SD1 – RELATING TO TOBACCO PRODUCTS.

Cynthia Au, Government Relations Director – Hawaii Guam
American Cancer Society Cancer Action Network

Thank you for the opportunity to SUPPORT with Amendments HB598 HD2 SD1: RELATING TO TOBACCO PRODUCTS which establishes the offense of unlawful shipment of tobacco products. 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 concerning the risks and dangers of the use of electronic smoking devices for youth. Repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices. Effective 7/1/2050.

The American Cancer Society Cancer Action Network (ACS CAN) is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society. We support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem. ACS CAN supports efforts to invest in comprehensive policies that would strengthen the health infrastructure in Hawaii to prevent kids from starting to use tobacco and help adults already addicted to tobacco to quit.

ACS CAN supports the definition of “Tobacco products” in HB598 HD2 SD1 which includes “electronic smoking devices” and the requirement of licensing and permitting for electronic smoking device wholesalers and retailers for taxation. Permitting and licensing of tobacco wholesalers and retailers help to enforce laws and regulations.

To strengthen the health infrastructure in Hawaii, consider a penalty to revoke the licenses to hold retailers accountable rather than simply through fines.

The epidemic of e-cigarette use by youth and young adults, aggressive marketing tactics by their manufacturers, including the use of flavors appealing to youth, and under-regulation of these products requires the public health community to take action to protect youth, young adults, and the public at-large. After years of decline, in 2018 there was an increase in tobacco use among youth nationwide, largely due to skyrocketing rates of e-cigarette use. According to the 2019 Youth Risk Behavioral Survey, the Center for Disease Control found that in Hawaii, 30.6% of high school students currently use e-cigarettes. E-cigarettes are now the most popular tobacco product among youth – in part because they are not subject to many of the regulations other tobacco products are subject to. By implementing the same policies and regulations to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use.

ACS CAN opposes any tobacco delivery sales directly to consumers. All tobacco products and all tobacco retailers should be regulated in the same manner. Shipments directly to consumers should be prohibited and only allowed to in state brick and mortar licensed retailers. Please take a closer look at page 5 section b line 6-14 which would still allow shipments directly to customers as long as taxes are collected.

ACS CAN supports HB598 HD2 SD1 creating tax parity between e-cigarettes and other tobacco products by applying a tobacco tax to e-cigarettes at the same rate as other tobacco products. Significant tobacco taxes are a proven strategy to reduce tobacco use.

Revenue collected should go toward tobacco prevention and cessation for all tobacco products, including e-cigarettes, according to Centers for Disease Control and Prevention's (CDC) best practices, and not be limited in scope to only e-cigarette prevention. CDC's evidence-based recommendations for a comprehensive tobacco control program provides states with the needed framework to educate people on the dangers of tobacco use as well as connect people who are already addicted to tobacco to resources to help them quit. Comprehensive tobacco control programs establish smoke-free policies and social norms, promote tobacco cessation and support those trying to quit, prevent initiation of tobacco use among prospective new users including youth and reduce tobacco-related health disparities among disparate populations. When appropriately funded in accordance with CDC recommendations, comprehensive tobacco control programs are able to reduce tobacco use.

Thank you for the opportunity to comment on this matter. Should you have any questions, please do not hesitate to contact Cynthia Au at 808.460.6109, or Cynthia.au@cancer.org.

To: Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

RE: Support HB 598 HD2 SD1 – RELATING TO TOBACCO PRODUCTS

Hrg: Tuesday, April 5, 2022 at 10:05 AM

Dear Chairs, Vice Chairs and joint committee members,

I support HB 598 HD2 SD1 – RELATING TO TOBACCO PRODUCTS.

Tobacco killed my husband two years ago 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 from accessibility and for being cheap to buy.

Please pass HB 598 HD2 SD1 to save our children for the future.

Sincerely,

Jennifer Hausler
Pearl City, 96782

To: Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

RE: Support HB 598 HD2 SD1 – RELATING TO TOBACCO PRODUCTS

Hrg: Tuesday, April 5, 2022 at 10:05 AM

Dear Chairs, Vice Chairs and joint committee members,

I support HB 598 HD2 SD1 – RELATING TO TOBACCO PRODUCTS.

My name is Uri Martos, and I am writing to express my support HB 598 HD2 SD1 – RELATING TO TOBACCO PRODUCTS to help stop our keiki from using tobacco products.

I work right next to Wilcox elementary school and the Boys & Girls Club on Kauai. Everyday I am seeing more and more of Kauai's kids using e-cigarettes/vapes and it worries me terribly. Big Tobacco is targeting our children with their addictive and deadly products. I'm afraid that Hawaii already has a high incidence of lung cancer and being a breast cancer survivor, I know firsthand the pain of dealing with this disease. I don't ever want our keiki to have to go through the hardship of having cancer or any other tobacco related illness. By simply taxing e-cigarettes as a tobacco product, and investing the revenue in tobacco prevention and cessation programs, we will be able to save hundreds of our youth in Hawaii from becoming lifelong tobacco addicts.

I urge you to support HB 598 HD2 SD1. Thank you for the consideration of my testimony.

Mahalo,
Uri Martos
Lihue, Kauai 96766



Hamakua Coast Cougars
PO Box 975
Honokaa, HI 96727

April 4, 2022

Aloha mai kākou,

On behalf of the Pop Warner Hamakua Cougars Football team and Board of Directors, we support HB598. Our football association works with more than 200 youngsters each year from the ages of 4 to 16 years old and it is our duty to not only care for them on the field but off the field as well.

We believe greatly in ensuring safety for our children and with the elimination of easy access to purchase online electronic smoking devices and other flavored e-juice in vaping devices, we believe our children will not be forced into a lifetime of addiction if it were not so easy to access and purchase.

By requiring licensing and permitting for those who produce these devices, they will help to enforce current laws and discourage underage purchasing of these items.

Mahalo for your consideration in saving the lives of thousands of youngsters today that are or will be affected by access to ESD devices that contain flavored e-juice devices, including menthol.

With much aloha,

Minverva Tabucbuc
President

“ONE TEAM, ONE DREAM”

LATE

HB-598-SD-1

Submitted on: 4/4/2022 10:24:03 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Maya Maxym	Testifying for Hawaii chapter of the American Academy of Pediatrics	Support	Written Testimony Only

Comments:

Aloha,

As pediatricians, we have witnessed the alarming rise in youth vaping over the last several years. In Hawai‘i, one in three high school students and one in five middle school students report “current use” of e-cigarettes (2019 YRBS). E-cigarettes are now the most popular tobacco product among youth – and that’s largely because it’s not subject to many of the regulations other tobacco products are subject to. By implementing the same policies and regulations Hawai‘i used to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use.

In particular, we know that taxing tobacco products reduces youth initiation and encourages those who use tobacco products to cut back or quit. E-cigarettes are the only tobacco products that are not taxed as tobacco products, and this bill creates parity between e-cigarettes and other tobacco products, effectively deterring youth from purchasing and continuing to use these dangerous products.

Finally, requiring licensing and permitting for tobacco retailers and wholesalers will help implement and enforce current laws and regulations, while restricting online sales will create meaningful barriers that prevent youth from obtaining these products via the internet.

Thank you for your consideration, and thank you in advance for your support of this bill.

Maya Maxym, MD PhD on behalf of the Hawai‘i chapter of the American Academy of Pediatrics.

LATE

HB-598-SD-1

Submitted on: 4/4/2022 11:05:43 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Tjapkes	Testifying for Coalition for a Drug-Free Hawaii	Support	Written Testimony Only

Comments:

The Coalition for a Drug-Free Hawaii supports this bill because:

- 1 in 3 high school students and 1 in 5 middle school students report “current use” of e-cigarettes (2019 YRBS)
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit
- It creates parity between e-cigarettes and other tobacco products

Sincerely,

Greg Tjapkes

Coalition for a Drug-Free Hawaii

LATE



HB598 HD2 SD1 Tobacco Shipping and Taxes and Prevention

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Tuesday Apr 5, 2022: 10:05: Videoconference

Hawaii Substance Abuse Coalition Supports HB598 HD2 SD1:

ALOHA CHAIR, VICE CHAIR AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of over 30 substance use disorder and co-occurring mental health disorder treatment and prevention agencies.

Funding for Prevention is needed to address the major concern for the health of our children:

- Given the Surgeon General's warning about the dangers of vaping, especially by the historic rise in its use by youth, allocating taxes to fund a youth prevention campaign is paramount.
- The danger to children is a growing major public health concern.
- Excise taxes and the continuing increase in taxes has proven to help people quit or sustain cessation.

Given the concern for our children's health, we recommend that Tobacco preventions resources be designated as an allocation of the tax funds.

We appreciate the opportunity to provide testimony and are available for questions.



LATE

DATE: 4 April 2022

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Re: Strong Support for HB 598 Relating to Tobacco Products

Hrg: 5 April 2022, 10:00 AM Conference Room 211 & Videoconference

Dear Chairs Rhoads and Dela Cruz, Vice-Chairs Keohokalole and Keith-Agaran, and Members of the Committees,

The Hawai'i Public Health Association (HPHA) is a group of over 450 community members, public health professionals, and organizations statewide dedicated to improving public health. Our mission is to promote public health in Hawai'i through leadership, collaboration, education and advocacy. Additionally, HPHA aims to call attention to issues around social justice and equity in areas that extend beyond the traditional context of health (e.g., education, digital equity, cultural sensitivity), which can have profound impacts on health equity and well-being. As stewards of public health, HPHA is also advocating for equity in all policies.

HPHA strongly supports HB 598, which will create parity between e-cigarettes and other tobacco products by applying a tobacco tax to e-cigarettes at the same rate as other tobacco products; requiring licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations; restrict online sales of e-cigarette products.

In Hawai'i, one in three high school students and one in five middle school students report "current use" of e-cigarettes (2019 YRBS). E-cigarettes are now the most popular tobacco product among youth – and that's largely because it's not subject to many of the regulations other tobacco products are subject to. By implementing the same policies and regulations Hawai'i used to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use.



E-cigarettes are the only tobacco products without a tax. Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

We strongly support HB 598 and respectfully ask that you pass this measure. Thank you for the opportunity to provide testimony on this important public health issue affecting members of our community, especially our keiki.

Respectfully submitted,

J. Leocadia Conlon, PhD, MPH, PA-C
Legislative Committee Chair
Hawaii Public Health Association



Hawaii COPD Coalition
700 Richards St., Suite 2410
Honolulu, HI 96813
Czamira.alba@hphmg.org
(626) 780-1221

LATE

April 4, 2022

Honorable Chairs Senator Rosalyn Baker and Donovan Dela Cruz
Honorable Vice-Chairs Senator Stanley Chang and Gilbert S C Keith-Agaran
Members of the Senate Commerce and Consumer Protection and Ways & Means Committees

RE: Strong Support of HB598,HD2,SD1 Relating to Tobacco Products

Dear Chairs Baker and Dela Cruz, Vice Chairs Chang and Keith-Agaran, and members of the Commerce and Consumer Protection and Ways & Means Committees,

This measure is extremely critical to the health of the children of our state and our entire state as well. Please vote in favor of **HB598,HD2,SD1** which will establish the offense of unlawful shipment of tobacco products and include electronic smoking devices in the definition of tobacco products and appropriately tax it, as well as restricting delivery sales to licensed tobacco sellers.

I am a board member of the Hawaii COPD Coalition and that serves over 45,000 Hawaii adults diagnosed with COPD in Hawaii (with an estimated equal number still undiagnosed) and work directly with patients at the Hawaii Pacific Health Straub Lung. Chronic Obstructive Pulmonary Disease or COPD is an umbrella of diseases which include emphysema, chronic bronchitis and chronic asthma. As a nurse practitioner, I've encountered thousands throughout my nursing career who have had their lungs and lives horribly affected by tobacco and nicotine. Many of these people have become disabled and unable to perform jobs and hobbies they enjoyed, spending a lot more time and resources with healthcare providers than they or any of us would like. Many started smoking when they were children and didn't understand the dangers and potential addiction that ensnared them.

We are grateful that this legislature has been the first in the nation to pass legislation banning the sale of tobacco and electronic smoking devices to people under 21 in Hawaii. Unfortunately, that doesn't stem the growing epidemic of young people and adults in our state who are smoking electronic smoking devices, commonly referred to as ESDs, e-cigs, or vaping, with **one in three of the high school students and one in five middle school students in Hawaii using such devices (2019 YRBS)**. This is extremely concerning since nicotine is known to be a HIGHLY addictive drug and impacts the developing brain. Pediatricians have reported the brain continues to develop and grow until the young adult is 26 years old!

Our youth epidemic has been exploding due to the availability of untaxed electronic smoking devices. We NEED this regulation to help protect our next generation. We have been working

for over seven years to try to stem this terrible epidemic with our wonderful legislature but it spreads unchecked because of lack of regulation. **Taxing tobacco products and cigarettes in a meaningful amount (70% of wholesale price) is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit. Restricting online sales and requiring transactions to be face-to-face purchases will make it harder for youth to obtain these products via internet.** Licensed tobacco retailers will still be able to receive shipments of products.

Please help protect the lungs and lives of our children from these very harmful products that are spreading virally in our schools, from elementary through high school and beyond. We urge you to please **vote in favor of HB598,HD2,SD1** and pass it out of committee with a correct effective date so it can become law. The Hawaii COPD Coalition thanks you very much for your careful consideration of this most important and timely bill.

Very truly yours,

Czamira Alba, APRN

Czamira Alba, APRN

Pulmonary Nurse Practitioner

Board Member

LATE

HB-598-SD-1

Submitted on: 4/4/2022 4:47:43 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Zehner	Testifying for Hawaii Smokers Alliance	Oppose	Written Testimony Only

Comments:

We strongly oppose this unneeded and business harmful bill.

Respectfully,

Michael Zehner

Hawaii Smokers Alliance



1050 Bishop St. PMB 235 | Honolulu, HI 96813
P: 808-533-1292 | e: info@hawaiiifood.com

Executive Officers

Charlie Gustafson, Tamura Super Marke
Eddie Asato, Pint Size Hawaii, *Vice Chair*
Gary Okimoto, Safeway, *Secretary/Treas.*
Lauren Zirbel, HFIA, *Executive Director*
John Schliff, Rainbow Sales and Marketing, *Advisor*
Stan Brown, Acosta Sales & Marketing, *Advisor*
Paul Kosasa, ABC Stores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*
Toby Taniguchi, KTA Superstores, *Advisor*
Joe Carter, Coca-Cola Bottling of Hawaii, *Immediate Past Chair*

LATE

TO:

Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: April 5, 2022

TIME: 10:05am

PLACE: Via Videoconference

RE: HB598 HD2 SD1 Relating to Tobacco Products

Position: Comments

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

HFIA supports portions of this bill that seek to regulate the shipping of electronic smoking devices and e-liquid. Data¹ shows that the majority of underage people who use electronic smoking devices buy them online or get them from their friends. A relatively small percentage purchase them in stores that sell tobacco products since these businesses already have established and enforced age restriction in place. Regulating the shipping of these products is a common-sense way to keep them out of the hands of young people.

We oppose the section of this bill that seek to increase fees on retail tobacco licenses and permits. This measure would increase the license fee for tobacco by 10,000%, which is excessive and unnecessary. Hawaii has the second highest tobacco taxes of any state. By attempting to increase license and permit fees, this bill unfairly and misguidedly targets retailers and wholesalers rather than tobacco users.¹

¹ <https://www.cnbc.com/2019/07/03/commentary-convenience-stores-say-teen-vaping-to-worsen-in-fda-plan.html>

There is no nexus between license fees and smoking cessation. Retailer license fees exist to pay for the licensing process and enforcement; these fees were not created to fund other programs. Using licensing fees to fund programs for which they were not intended creates a situation where fees are likely to rise unpredictably, this impedes retailers' ability to budget and creates unnecessary financial and administrative burdens. We thank you for the opportunity to testify.

HB-598-SD-1

Submitted on: 4/2/2022 11:17:40 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

The vaping epidemic in Hawai'i is obscene. It's time for our legislature to take action to curb this massive threat to our public health and to the wellbeing of our keiki. Please support the bill.

Mahalo,

Will Caron
Palolo Valley

HB-598-SD-1

Submitted on: 4/2/2022 11:44:55 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Reeser	Individual	Support	Written Testimony Only

Comments:

To the Honorable Senate Committee on Ways and Means & Judiciary,

We need to do everything possible to protect our keiki from access to highly addictive tobacco products, including e-cigarettes, regardless of the impacts on business who sell these products. Before this was on anyone's radar, my teenage son and his friends were easily able to buy these products that we now know are highly addictive and unhealthy. Federal regulations are not sufficient so Hawaii must do whatever it takes to combat this crisis. A life is priceless and there is no cost too great if it will prevent our keiki from becoming addicted to deadly tobacco products.

Mahalo for your consideration,

Cheryl Reeser
Makawao, Maui

HB-598-SD-1

Submitted on: 4/2/2022 11:51:18 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Kobayashi	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill for the following reasons.

- In Hawai‘i, one in three high school students and one in five middle school students report “current use” of e-cigarettes (2019 YRBS). E-cigarettes are now the most popular tobacco product among youth – and that’s largely because it’s not subject to many of the regulations other tobacco products are subject to. By implementing the same policies and regulations Hawai‘i used to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use.
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.
- E-cigarettes are the only tobacco products without a tax.
- We support this bill because it creates parity between e-cigarettes and other tobacco products by:
 - Applying a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price) – a meaningful price increase that is needed to reduce e-cigarette use among youth.
 - Requiring licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations.
 - Restricting online sales – requiring face-to-face purchases makes it harder for youth to obtain these products via the internet. Licensed tobacco retailers would still be able to receive shipments of products.
 - Sincerely, Michelle Kobayashi

HB-598-SD-1

Submitted on: 4/2/2022 11:57:51 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Jayson O'Donnell	Individual	Support	Written Testimony Only

Comments:

I support any efforts, albeit by way of the enactment of tobacco taxes and restriction of sales to youth to limit access to these products.

E-cigarette Regulation HB. 598

I am writing as a pediatrician in support of HB 598, which regulates e-cigarettes. There are strong provisions in this bill that tax e-cigarettes as a tobacco product, require licensing and permitting of e-cigarette vendors, prohibit on-line sale of tobacco products, increase the fees for tobacco permits, and most importantly, dedicate \$750,000 annually to the Tobacco Prevention and Control Trust Fund. All of these provisions address the dramatic increase in pre-teen and teen e-cigarette use to one of the highest rates in the country. The disincentive created by increasing taxes on electronic products and creating mechanisms for licensing and permitting of sellers of vaping products will increase costs of these products, much as increasing taxes on ordinary cigarettes did 20 years ago, to great success. The proposal for an annual contribution to the Tobacco Trust will guarantee a continuation of the excellent prevention and cessation strategies developed over the past 20 years, which contributed to the very impressive decrease in regular tobacco products and are just starting to address vaping use, especially in children. Electronic cigarette use by middle and high schoolers has reached epidemic proportions and our children deserve our best efforts to both prevent further spread of these products and to help our keiki quit using them.

Linda Weiner, MD
Pediatrician
Kalaheo, Kauai

Date: April 4, 2022

To: The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways and Means

Re: **Strong Support for HB598 HD2 SD1**, Relating to Tobacco Products

Hrg: April 5, 2022 at 10:05 AM in Conference Room 211 & Videoconference

Aloha Senate Committees Judiciary and Ways and Means,

As a parent, community member and healthcare professional I am writing in **strong support of HB598 HD2 SD1**, which establishes the offense of unlawful shipment of tobacco products; 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 concerning the risks and dangers of the use of electronic smoking devices for youth; repeals certain provisions of the Hawaii Revised Statutes relating to electronic smoking devices.

Hawaii is in the midst of a youth vaping epidemic that has gone unaddressed for more than six years.

One in three Hawaii high school students and one in five middle school students report “current use” of e-cigarettes. E-cigarettes are now by far the most popular type of tobacco product among youth, in large part because e-cigs are the only tobacco products not subject to many of the regulations other tobacco products are subject to.

E-cigarettes are the only tobacco products without a tax. Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

I **strongly support HB598 HD2 SD1** because it creates policy parity between e-cigarettes and other tobacco products.

HB598 HD2 SD1 applies a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price) – a meaningful price increase that is needed to reduce e-cigarette use among youth.

HB598 HD2 SD1 requires licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations.

HB598 HD2 SD1 restricts online sales. Requiring face-to-face purchases makes it harder for youth to obtain these products via the internet. Licensed tobacco retailers would still be able to receive shipments of products.

I **strongly support HB598 HD2 SD1** and respectfully ask you to pass this bill out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Keaau, HI

HB-598-SD-1

Submitted on: 4/3/2022 10:17:23 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
David Kingdon	Individual	Support	Written Testimony Only

Comments:

I am writing in support of this bill that will improve the public health, reduce morbidity and mortality, and will diminish healthcare costs in our state.

Thank you for your consideration.

David Kingdon, MPH, Paramedic

HB-598-SD-1

Submitted on: 4/3/2022 11:46:53 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
K. McGlone	Individual	Support	Written Testimony Only

Comments:

Protect the health of young people. Support health education and prevention programs concerning the risks and dangers of the use of electronic smoking devices for youth.

HB-598-SD-1

Submitted on: 4/3/2022 4:06:39 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Zoey Duan	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Karl Rhoads, Vice Chair Jarrett Keohokalole, and members of the Committee on Judiciary. Chair Donovan M. Dela Cruz, Vice Chair Gilbert S. C. Keith-Agaran, and members of the Committee on Ways and Means,

I'm Zoey, a local youth from Nu'uuanu/Liliha, and I support HB598.

As a youth that has personally seen the impacts of tobacco on my family members and friends, namely my grandpa who had passed away from tobacco use as well as my many fellow peers in middle school, I strongly support the bill to regulate e-cigarettes as any other tobacco product.

Taxing and restricting the online sale of e-cigarettes will undoubtedly help prevent youth addiction to these products, especially since inexpensive accessibility and unregulated online sales have been primary sources of tobacco products for Hawaii kids in high school, middle school, and even elementary school. I've seen it first hand, when my fellow classmates and friends would fill the school bathrooms with sickly sweet scents of cotton candy using vapes that they bought online with just the click of a button. By implementing the same policies and regulations Hawai'i used to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use and prevent further health consequences on kids like myself.

Therefore, I urge the committees to strongly support HB598, so that we can truly prevent the dangers of tobacco from affecting both my generation and our future generations.

Mahalo,

Zoey Duan

Date: April 3, 2022

To: Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran -Vice Chair and members of the Committee on Ways and Means

Re: Support for HB 598 Relating to Tobacco Products

My name is Misa and I am writing in strong support of HB 598. As I have lived and attended school in Hawaii all my life, I see so many of my peers with easy access to tobacco products.

I would like to underline that Big Tobacco markets these products in ways that entice youth. Unless our government addresses these companies' tactics that make tobacco products widely available and cheap as well as packaging their products that capitalize on youth popular culture, great harm will continue to be done to people my age. Us youth have been fighting for so many years to see the State hold Big Tobacco accountable, and I want to finally see it this year.

Please pass HB 598, so us youth who are the most impacted are protected.

Sincerely,
Misa Layne
Honolulu

Dear Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran -Vice Chair and members of the Committee on Ways and Means

I am writing to support Senate Bill 2278 so the state can take action to protect us young people from Big Tobacco.

E-cigarettes are the most popular tobacco products for my age group, so e-cigarettes need to be regulated like other tobacco products in order to stop middle schoolers from smoking. We all know smoking is unsafe and we do not want young people to end up with COPD, lung disease, or lung cancer. Tobacco use has personally impacted my boyfriend by making him smoke at a young age. He finally quit at age 20 but started when he was a freshman in high school. It took him years to quit but he finally did. I am thankful he did and hopefully does not have any lung problems when getting older.

Ultimately, youth are the biggest people at stake because they are being directly targeted. Big Tobacco needs to be held accountable and regulated, and youth who are addicted need to be provided help to quit.

Support HB 598 and HOLD TOBACCO COMPANIES ACCOUNTABLE!

Bailee Otto
Honolulu

Senator Rhoads, Chair
Senator Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Dela Cruz, Chair
Senator Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

Support for HB 598

E-cigarettes should be controlled the same as other tobacco products because they are the same as every other addictive tobacco product.

One time my friend didn't have a Dab Pen so she started to smoke using a plastic bottle. The chemicals in the plastic bottle are really bad for your health. She was so addicted, that she had to make her own contraption just to get a hit.

Everyone I know who is addicted thinks it's a personality trait when it's not. I also believe people smoke to be a part of the bandwagon. But I don't think they should be punished, they need help, because you can't penalize a kid for trying/smoking something. It wasn't her fault these products are so available. Something needs to be done, It's hurting our youth.

Ceanna-Lei Batin-Kau
Koloa

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

I support HB 598

I believe that we need to regulate e-cigarettes because nicotine when inhaled by the user gets to your brain within seconds helping to addict people regardless of the source.

The easy access of these products causes a greater circulation of e-cigarettes in school. This also heightens the temptation to buy e-cigarettes.

My Uncle used tobacco when he was younger. The addiction continued through adulthood. He tried quitting when he was 20. The flavors available made quitting even harder. The vape companies should be the ones penalized, not youth, because they are taking advantage of the youth's lack of knowledge and gullibility.

Please support HB 598

Jaelyn Natividad
Ewa Beach

April 3, 2022

Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

It is clear as day that the availability of tobacco products are negatively impacting youth and other groups like Native Hawaiians. These innocent people who are being targeted by Big Tobacco are purchasing these harmful products and the vicious cycle continues. Thus being said, the more it's available to the community, the increase of tobacco uses occurs.

At the moment, e-cigarettes (which is the most widely used by youth) are not regulated the same as other tobacco products. But, since there's a possibility of nicotine exposure in each product, it is necessary to put the same regulations on e-cigarettes.

I have personally seen youth in my community targeted and fallen prey to e-cigarettes. Once I graduated from elementary school, my friends and I parted ways. Once we hit middle school to high school we changed, some in a good way and some in a not so good way. Some picked up vaping, which they considered cool, in order to become popular. When I heard of my old friends and classmates vaping for the sake of being cool, it was devastating. I wouldn't have expected people who were so kind and innocent to change for a senseless judgment. In my opinion, there are other ways people can become cool, just not in a way where it could affect your body, life, and those around you.

Many of my former friends got easy access to e-cigarettes by purchasing online which have easy loopholes to the age limitation. Honestly, you could see a 12 year old vape and change their life at such a young age. The ability to have easy-access to tobacco products, like e-cigarettes, should be banned to keep our community safe and healthy.

I strongly support HB 598 and urge you to as well.

Holly Taguma
Lihue

April 3, 2022

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

I am writing this letter in strong support of HB 598. For the past couple of years, I have been advocating relentlessly with other youth to rein in and protect us from Big Tobacco.

Throughout middle and high school tobacco has been a part of daily life and it needs to change. I've seen the effects of tobacco on my family and peers. Flavors have been a huge factor. At school in the bathroom stalls the overwhelming sweet smell of vape smoke that corrupts the air, and there hasn't been one month where I wouldn't notice one of my peers masking themselves smoking in class or at school. Tobacco products are readily available to youth. This is very dangerous because the youth will become a target and will have these products easily accessible.

It is apparent that e-cigarettes are in need of regulation. It needs to be treated as a dangerous risk, if not even more than other tobacco products. The easy access to purchasing e-cigarettes has no doubt contributed to this issue and impacted my community greatly. If anyone wants to purchase an e-cigarette they will be able to, whether lying about their age online or getting it through a friend or family member. Sadly, there is always a way because Big Tobacco ensures there is a way.

Action to address youth tobacco use and hold Big Tobacco accountable is long overdue. Using their awful tactics, youth themselves have been blamed for falling prey to aggressive marketing. Rather than blaming youth who get addicted to e-cigarettes, through youth penalties, my peers should be encouraged to receive help to get through their addiction or problem.

I ask that you support HB 598 so we finally take action to hold Big Tobacco accountable, and keep our youth safe from them!

Shaneille Ramos
Keaau, HI

Date: 4/3/2022

To: Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary. Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

Re: Strong support for HB 598

I urge you to pass HB 598 and address the youth tobacco use. The sheer availability of tobacco products is fueling the accessibility for youth, ultimately negatively impacting us. E-cigarettes in particular are quite cheap, and some shops even have 99 cent deals. By having tobacco products so widely available, youth who don't use these products are being peer-pressured (whether they know it or not!) to start.

In my high school it is extremely normal to have an e-cigarette addiction, much like the adolescents who were smoking in the 40s, way before laws were put in place. These laws were placed for the benefit and health of the youth. Hearing the studies and testimonies, I think it is time to put in place laws that will protect the youth for the greater good. Every student knows a peer in which they can access an e-cigarette and other tobacco products. All tobacco products need to be regulated to protect youth away from a future of health problems.

I see it on social media and in person that youth that are feening or seeking ways to fulfill their desire for an e-cigarette. It is very disheartening to see these kids avoid and not care for the harm being done to their bodies. When asked, many peers respond with a careless answer. However, by enforcing laws it will protect my friends from a destructive future. The relatively easy access to e-cig purchases, including those online, are driving these high rates of use. Some peers even supply other peers to gain a profit. Don't we all agree that it is time to put the health of youth over sales of tobacco products?

Sincerely,
Shaneille

Senator Rhoads, Chair
Senator Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Dela Cruz, Chair
Senator Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

My name is Carissa Angelize Esta and I **support HB 598.**

The reason this bill is so important to me is that I have a few adults in my family who have been using tobacco products since a young age, and now cousins around my age who are getting into it. It is sad to see that they are aware of the impact of tobacco on their bodies, but still dismiss it. Many of them smoke or use other tobacco products every day.

I had an uncle who quit, but ended up turning back to chewing tobacco when a loved one passed away. I do not believe that tobacco is a way of escape or a way to relax. I see it as a threat to the human body.

I have a cousin that I know uses e-cigarettes. I have also seen my fellow classmates and even younger classmen around sixth grade who use e-cigarettes. Our generation is always changing, we seem to be growing up too quickly, and we all want to find our place to fit into. I do not think the use of tobacco products is the best way for the younger generation to try and fit in. E-cigarettes are as bad as other tobacco products. Nothing about tobacco products is safe.

Please help end the sale of all flavored tobacco products and pass HB 598.

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

My name is Kaya Pettit and I support HB 598.

Tobacco products expose and hook people to nicotine from a young age. This affects them mentally and physically. E-cigarettes in particular contain high amounts of nicotine, increasing the risk of addiction. Nicotine alters the developing brain of youth and young adults, affecting things like memory and self control. Not just that, tobacco products can cause other problems such as lung and cardiovascular diseases.

I ask that you don't turn a blind eye to this very important issue. Support HB 598 so we don't have a new generation of youth harmed by tobacco.

Kaya
Honolulu
April 3, 2022

April 3, 2022

Sydney Ryan
Kapolei

Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on
Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on
Ways and Means

I want to share with you why I think supporting HB 598 is so important.

There was a girl about my age in my drivers Ed class, she was about 15 or 16 years old. I noticed that she was going to the bathroom a lot. I dismissed this at first, and then noticed that the guy sitting next to her was sneaking her a vape pen whenever she would use the bathroom. At first she was going to the bathroom every half an hour or so. She started missing so much of the class, she was leaving every ten minutes. She then missed so much class that she failed and had to reschedule to retake the class all over again. One day, after class as we were all waiting outside to be picked up, she kept asking to use this guy's vape pen. He kept telling her no, he knew the dangers of nicotine products and vaping and told her that he was going to quit and that she shouldn't be vaping in the first place. After asking a few more times she started begging him to use it and even tried to take it from him.

Now that I've seen first hand what nicotine products can do to young people; I want to do everything I can do to advocate for the young teens out there who have been through this. I want to make sure that all teens are aware of the damage that this causes physically and mentally. Teens are hooked in by the nicotine and flavors, and many are misinformed that vaping calms you down and lowers anxiety. The reality is that e-cigarettes are leaving young teens addicted, depressed, and anxious.

When adolescents and young adults use nicotine products it harms the parts of the brain that control attention, learning, mood, and impulse control. Nothing good can come from e-cigarettes being accessible to the youth in our communities. It is time we treat e-cigarettes like all other tobacco products.

Date: April 3, 2022

To: Senator Rhoads, Chair
Senator Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Dela Cruz, Chair
Senator Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

Re: Strong support for HB 598 Relating to Tobacco Products

It is imperative that e-cigarettes are regulated the same as other tobacco products since they contain the same amount of nicotine (if not more) that make it harder for students to quit. In my middle school, there used to be a widespread vaping issue among classmates. Many students were caught using e-cigarettes on several occasions including the class president at the time. In fact, most students looked up to the popular people in school and saw vaping as a status symbol. It is this type of pressure that continues the cycle in my school.

For years, tobacco companies have marketed e-cigarettes and shifted the youth perception to support these dangerous products. Please help the students in my school as well as all students across the island by regulating e-cigarettes like all other tobacco products!

Sincerely,
Noah Chang
Honolulu, HI

Date: April 3, 2022

To: COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Re: Support for HB 598 HD2 SD1

Aloha mai kākou. My name is Joshua Ching and I strongly support passage of HB 598.

For most of my time throughout high school, I've been surrounded by the effects of the tobacco industry's targeting of students. From puffs of smoke clouding bathroom stalls to my classmates sneaking an inhale from their vape during class, it's a trend that I've seen often, and that has honestly become normalized in my day-to-day. That, above all else, should be the scariest thing – that for many high school students, the prevalence of a new and booming facet of the tobacco industry is just another thing in their everyday.

It didn't start to truly sink in, however, until a few of my closest friends began using e-cigarette products. Most of them were willing to spend upwards of \$30 for an elf bar or a dab pen – money that came out of their own pockets. When I talked to one of them, asking why they chose to vape, they told me that it helps them deal with their anxiety and body dysmorphia, since nicotine suppresses a user's appetite. As I inquired more, they told me that it was the sweet, candy-like flavors that kept them hooked — alongside the many TV shows and other forms of media that glamorized its use in their eyes. It was painful to see the people I cared about most get taken advantage of by the tobacco industry — an industry that weaponized the anxieties of a teenager by specifically marketing to them.

This story, however, isn't unique to just me — it's one that rings true for so many kids across Hawai'i. It comes as no surprise, then, that Hawai'i has one of the highest rates of middle school and high school vaping rates across the nation.

Targeted marketing, whether through the use of flavors, ads, or media glorification, is driving up use rates among youth, and won't stop unless we do something about it — and with 21,000 youth slated to die over the next 50 years if use rates don't decline, it's one that we need to take action on now.

Native Hawaiians, moreover, are disproportionately affected by the tobacco industry's targeting, especially when it comes to tobacco. This is of particular importance to me, as a Native Hawaiian who recognizes the history of corporate exploitation, public health disparities, and intergenerational poverty that has affected my lāhui generation after generation. Especially when it comes to menthol, which is primarily used by marginalized communities like Native Hawaiians, it's imperative that we end its sale to push for social equity.

We are facing a public health crisis of massive proportions. It's time, now more than ever, to prioritize the health and safety of my generation over boosting the coffers of an industry that profits off of addiction.

Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

Aloha,

The availability of tobacco products negatively impacts youth because it allows them to have easy access to these harmful products, which can have major consequences down the road.

I have seen many of my peers and friends try and become addicted to e-cigarettes. One of my best friends is addicted to e-cigarettes, and I can see the way it is affecting her life. I have tried talking to her about it, educating her, and even showing her all the harmful things nicotine has done to people, but it hasn't worked. The issue with many youth is that they know all the harmful things that nicotine can cause, and yet they don't truly believe it will happen to them. This is why e-cigarettes should not be available to youth, so that it can't harm them in this way.

E-cigarettes can be just as harmful as other tobacco products, and are an increasing problem among today's youth. These products target youth and cause lifelong health issues that young people are not aware of. Regulating e-cigarette products will help stop a new generation from going down this dangerous path.

Celia Chang

Senator Rhoads, Chair
Senator Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Dela Cruz, Chair
Senator Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

My name is Chanel and I am writing in strong support of HB 598.

The availability of tobacco products negatively impacts youth and other targeted groups in that they cause lifelong addiction due to the nicotine (and flavors in most cases). In particular, e-cigarettes are hooking in too much of our youth in the state. Besides being addictive, these e-cigarette products also stigmatize and take advantage of our native culture to sell certain flavors like Mauna Dew and Hawaiian POG.

While attending my public school middle school almost every single time I walked into the bathroom there was somebody vaping. Recently a couple of my neighbors had to go to the hospital because of their e-cigarette addiction, and it hurts to see children like me suffer due to these dangerous products taking advantage of them.

I ask that you support HB 598 and help protect our keiki.

Chanel Matsumoto
Ewa Beach

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

Support for HB 598

My name is DeAngelo Joshua and I urge you to support HB 598. I come from a family with a history of substance abuse and I would hate to see my little nieces and nephews get affected by the same fate. Currently, the availability of e-cigarette products is ridiculous and impacts all youth across the state.

Some people believe that e-cigarettes are “healthier” to use. However, they are just as bad, and even worse in some cases. The list of chemicals contained in e-cigarettes are concerningly long, with some mixtures/flavors having nicotine concentrations higher than combustible cigarettes, making them even more addictive. It is way past due to treat e-cigarettes like all other tobacco products that put our health at risk.

For the sake of our youth, now and in the future, please pass HB 598.

DeAngelo Joshua Ola
Kauai

Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

Re: Support for HB 598

My name is Kylie Sasaki and I strongly support passage of HB 598.

Everyone knows that e-cigarettes are bad for you. Like other tobacco products, countless dangerous chemicals and carcinogens are present in e-cigarettes (and in even higher concentrations for some e-liquids). At my school, I have noticed many kids using it to be “cool”.

Unless action is taken to reverse this course, we will just be sitting around and watching a whole generation of youth become addicted again to nicotine, reversing the important work done just a few decades ago.

Please support HB 598!

Kylie Sasaki

Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary. Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

My name is Caleb and I am writing in strong support of HB 598.

Currently, the perception that some youth have about e-cigarettes makes kids want to try vaping. Once they do, like many other types of tobacco products, they become addicted. For the past few years in older grade levels, I have been seeing kids that I would never expect to vape. Recently, this problem has spread amongst kids the same age as me.

Some kids believe that smoking e-cigarettes can help relieve stress, especially due to the pandemic and having to adapt to virtual learning. However, e-cigarettes are not a healthy alternative. If we do not regulate them now, e-cigarettes will continue to negatively impact our generation and leave us with terrible health effects later down the line.

Again, I ask you to please support HB 598.

Caleb Plowman
Lihue

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

Re: Strong support for HB 598

Dear Senators,

My name is Nigel and I would like to share why I support HB 598.

I know many students from my high school who are impacted by e-cigarettes. Many who start vaping have become addicted and abuse it. It breaks my heart to see other young people my age deal with addiction, which I know will only get worse. However, this problem is not just found in my school, but practically all schools across Hawaii. I even see on my Tiktok that teens are vaping all the time.

E-cigarettes are getting so many students addicted and creating a new generation where nicotine is normalized. Unless action is taken now, the devastating outcomes that we know go along with tobacco use may be irreversible. It is important that we address e-cigarettes right now and pass this important piece of legislation.

Nigel Agcaoili

Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

I am writing to ask for your support for HB 598.

Many youth don't know the extent to which e-cigarettes are dangerous. Due to how tobacco companies and tobacco sellers in Hawaii market e-cigarettes, many believe it is just harmless air. Some youth also don't understand how addictive nicotine is; once you vape enough, you'll be addicted. There is no difference between vapes and other tobacco products. In fact, some vapes are even more dangerous and addictive because they contain higher nicotine concentrations than combustible cigarettes. E-cigarettes need to stop being given a free pass and regulated the same as other tobacco products!

I actually avoid using the school bathroom during our recesses because I can smell the vape in the air. The impact of e-cigarettes not only affects the youth who are targeted into smoking, but also the students who choose not to vape.

Please support HB 598.

Lauryn Hashimoto

Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

Aloha my name is Kaidyn Yago and I am a sophomore at Kauai High School. I support HB 598. Many of my fellow peers and friends have tried flavored e-cigarettes already in their life. I have even been offered them but have never tried. It has become a constant problem for teens and students in my school.

Please pass HB 598 to help protect us.

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

I support HB 598 and believe we need to regulate e-cigarettes like other tobacco products because they are just as bad as other tobacco products, being highly addictive and bad for your health.

When I was 9, my grandfather passed away from lung cancer as a result of smoking. Knowing now that classmates of mine use e-cigarettes and other tobacco products breaks my heart because I know this will take a toll on their health in the future.

This has had a big impact in my community with classmates of mine as young as 11 who are using e-cigarettes they got online.

Please put an end to this and regulate e-cigarettes the same as other tobacco products.

Neva Leung

Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

Support for HB 598

E-cigarettes should be regulated the same as other tobacco products because they have dangerous chemicals that can be inhaled. They are also as addictive as other tobacco products.

My uncle frequently vapes and it affects his household. His house always smells like the thick, sweet, cotton candy vape juice. I think it spreads a message to his kids that it's to start vaping. Alt seems like almost everyone I know vapes because of how easy it is to obtain one.

Youth are the victims of the marketing scams that e-cig companies put out. They are just caught in the act and these companies are putting out more flavors to make more money. The health and well-being of the youth are not being considered. Please support HB 598.

Jeanine Longboy

To: Senator Rhoads, Chair
Senator Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Dela Cruz, Chair
Senator Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

I support HB 598 because kids are getting more and more addicted to tobacco products because of the lack of regulations.

My best friend vapes, he has stopped coming to church and started doing more and more drugs and it's because he has access to purchase these supplies. And he only buys FLAVORED pods.

The ease of purchasing e-cigarettes online means anyone can buy it and anyone can use it. Please help protect Hawaii's keiki.

Savannah Hubbard

Date: April 3, 2022

RE: Support HB 598

My name is Marissa Matsushige. We need to regulate e-cigarettes and other tobacco products to save the lives of those that are affected by this.

On a daily basis in the school bathroom I notice people vaping. I choose to block out and ignore that aspect of school. I don't appreciate the second hand smoke and other things that affect myself and others that don't participate in smoking, but I have no choice but to be subjected to it.

In my community a lot of people are affected by this and they could potentially be harshly affected by the health risks. Again, as it's easily accessible, it makes it a lot easier to get addicted.

Penalties should not be held against the youth as they have no control over the accessibility of these products. Adults and the companies that make and sell these products should be, as they have more experience and common sense should be held accountable for their actions which negatively affect the youth.

To: Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

I support HB 598 because I believe that we need to regulate e-cigarettes the same as other tobacco products, these products are just as addictive, if not more than traditional tobacco products. They are currently also readily available online for youth, allowing them easier access to these products.

Although I do not have any personal connections to this issue, I realize that it is a massive issue in the community of Hawaii, and although it may sound selfish, I want to protect the rest of the community who remains untouched by this epidemic. There are kids who are just 11 years old and have already started using tobacco and e-liquid products! This needs to be solved, and the only way to is to create hard and fast rules for tobacco companies to follow.

Youth should not be penalized for being taken advantage of at young ages. Tobacco and e-liquid companies are specifically targeting them, knowing they will fall for the traps they set. These companies are the ones who need to be punished for hooking our keiki, all to make a profit.

Thank you for the opportunity to submit testimony.

Eden Thompson

April 3, 2022

Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

Committee on Ways and Means

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Support for HB 598

E-cigarettes must be regulated to prevent younger groups from obtaining and using these products illegally and irresponsibly. Easy access to e-cigarettes online increases the likelihood for younger audiences to purchase such products.

During my time in high school, many of my peers believed e-cigarettes are a healthy alternative to smoking cigarettes or other tobacco products. Due to their ignorance, many have ended up being treated in the hospital for poor lungs.

Please protect our youth and regulate e-cigarettes the same as other tobacco products

Aron Taguiam

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

I am writing in support of HB 598

Youth are more likely to fall victim to e-cigarettes than other tobacco products because of their flavors and easy access. Vaping is a problem at my school, and bathrooms are almost always filled with vapor. Second hand smoke is a problem to me and many other students. Bathrooms are hardly usable during breaks.

Easy access has made it simple to try, and once you do, get addicted. Not only is their health affected but their financial situation could be at risk too. Given the total cost of a lifelong addiction.

The youth is the victim in this case. More penalties won't have much more of an effect on the people who are addicted or people who don't think they will get caught. Also the toll on their bodies is a major penalty by itself. We need to focus on the industry.

Tanner Hubbard
Kauai

I am writing to ask for your support for HB 598.

My name is Kirra Carvalho. I believe we need to regulate e-cigarettes the same as other tobacco products because they have the same negative effect on our bodies.

My younger sister, who is a 7th grader, came up to me one day and said she found out so many of her classmates vape. I thought that was crazy because she's so young and I couldn't believe kids her age were vaping.

The easy access to purchase these products online affects our community because more of the youth are able to purchase them.

I support the stance that youth penalties should not be included in e-cigarette control bills because for these young students it is their time to learn. We want to help them quit and show them the harmful effects of it. Not punish them for falling victim to an industry that targets them.

April 3, 2022

Senator Rhoads, Chair
Senator Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Dela Cruz, Chair
Senator Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

I support bill HB 598

I believe vapes should be regulated like other tobacco products since these products are relatively cheap and easily accessible which makes youth more vulnerable. They are highly addictive and can cause many illnesses that youth may not be aware of. They both cause the same health effects and one isn't better than the other. They all end in pain or death.

My best friend is majorly affected by vaping and I wish he could come to terms with his addiction and quit. Banning all flavored tobacco and regulating vapes like other tobacco products would be a big help to him and many others. These kids don't understand the purchase they are making and how detrimental it is to their health. I urge you to support legislation to regulate these products like other tobacco.

Maddison Hubbard

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

Support HB 598

Students and my peers should not be addicted to tobacco products this young when they still have so much rest of their life to live and tobacco products could overtake that life. E-cigs are just as harmful and addictive as other tobacco products and should be controlled in the same way.

This is personal for me, my brother is addicted to e-cigarettes. I can tell it affects his exercises, and if flavors were banned and e-cigarettes controls were put in place, there would have been less of a chance he would've gotten addicted in the first place.

Many teenagers now can get a hold of e-cigarettes without an ID or a parent even knowing. E-cigarette companies cater to a younger audience, please control these products like other tobacco products and help protect kids like my brother.

Leia Mokiao-Higashi
Lihue

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Please support HB 598

Among the many issues of e-cigarettes and other flavored tobacco products, there is one that sticks out: The availability of these products and how it can have a long-lasting impact on youth.

Unlike other tobacco products, a license isn't required to sell e-cigarettes and almost anyone is eligible to sell these products. This allows youth to get their hands on e-cigarettes, which research has shown to have lasting effects on adolescent brain development, reduces athletic performance, and reduces lung growth. E-cigarettes have the same health concerns as tobacco products and they are as big an issue if not more so than other tobacco products with youth.

The deaths and hospitalization of children who consume e-cigarettes has increased and as long as there is cheap and easy access to e-cigarettes, it will only grow. Please regulate e-cigarettes the same way other tobacco products are.

Jacob Trujillo

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

RE: Support HB 598

We need to regulate e-cigarettes the same as other tobacco products because e-cigarette companies are advertising that they are "healthier, more efficient," and more, the amount of chemicals and health concerns are equivalent, if not more, than that of other tobacco products.

Although I am not a user of tobacco products, in my freshman year of high school, I had several classmates have allergic reactions to their vapes, as well as a friend faint due to the amount that they were using e-cigarettes. I remember being scared and incredibly concerned for these people, as I talked to them in my day to day life. I knew of the health concerns, but I had never seen them laid out right before my eyes. I knew that I was making the right choice by continuing to not vape, and that I wanted to help others quit.

I can tell that the ease of access has created a boom in the amount of people who use e-cigarettes. I see people walking down the street in possession of one, and I've seen several people easily buying them on their cell phones. Taxing e-cigarettes like other tobacco products and closing the online loophole will help reduce the number of people becoming addicted. E-cigarettes should be more regulated.

Kiele Casillas
Kalaheo

Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary

Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

Please support HB 598. I believe that we need to regulate e-cigs the same as other tobacco products because they are proven to be just as dangerous for youth.

Tobacco or the use of e-cigs have impacted one of those around me. My step brother. He was hit by the popularity wave of e-cigs. Many people in his grade were taken in, he's in high school and has been put under the pressure of owning an e-cig, just to feel the need of fitting in.

The relatively easy access to e-cigarette purchases online and the low cost have impacted my community because it is now common to see my peers vaping or having an e-cig.

I think that it is important to protect the youth from harmful substances/products, because youths still have a lot ahead of them. Please support HB 598, Hawaii's keiki are depending on you.

Mikayla Lumabao

Aloha, Senator Rhoads-Chair, Senator Keohokalole-Vice Chair and members of the Committee on Judiciary, Senator Dela Cruz-Chair, Senator Keith-Agaran-Vice Chair and members of the Committee on Ways and Means

I am writing in **support of HB 598**.

E-cigarettes should be regulated just as much as regular tobacco because it has equal/worse effects. E-cigarettes, when heated up, can release small pieces of toxic metal which people breathe in. Along with metal, people breathe in unknown chemicals and toxins while vaping.

I've seen many of my own friends become addicted to e-cigarettes because of the flavors and advertisements targeted towards kids. When I walk into the bathroom at school, it is very normal to see a group of people passing around an e-cigarette in the stalls because they're addicted. If more restrictions were put in place, students would have a harder time accessing these products which could lead to a lower rate of addiction.

Youth penalties should not be included in regulation bills because in most instances, using e-cigarettes is a form of peer/social pressure that students give into. The kids giving into peer pressure to seem "cool" form an addiction to these nicotine products. Instead of punishing kids for giving into these pressures, regulations for sellers/companies and programs to help kids with their addictions should be established.

Thank you for the opportunity to provide my testimony.

Kailee Oyama
Lawai

HB-598-SD-1

Submitted on: 4/3/2022 8:20:26 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Murakami Akatsuka	Individual	Support	Written Testimony Only

Comments:

To Members of the Senate Committee on Ways and Means and Senate Committee on Judiciary,

I strongly support the passage of HB 598 to provide regulations of e-cigarettes to protect public health and prevent youth from starting to use these addictive products. This is a public health problem in Hawaii.

I support this bill because it will: 1) apply a tobacco tax to e-cigarettes at the same rates as other tobacco products (70% of the wholesale price), 2) requires licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations, and 3) restricting online sales - which will make it harder for youth to obtain these products via the Internet.

Thank you for the opportunity to testify in support of HB 598 to be passed this session and onto becoming a law in 2022.

HB-598-SD-1

Submitted on: 4/3/2022 9:17:38 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Marian Huff	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 598 HD2 SD1 - Mahalo Nui, Marian Huff

HB-598-SD-1

Submitted on: 4/3/2022 9:35:20 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathleen Koga	Individual	Support	Written Testimony Only

Comments:

Dear Members of the Senate Committees on Judiciary and Ways and Means,

As a public health educator, concerned Hawaii resident and most of all the grandparent of two teenagers, I am in strong support of HB 598, which provides comprehensive regulations on electronic smoking devices by taxing e-cigarettes as tobacco products, requiring licensing and permitting for e-cigarette sellers, and restricting online sales of tobacco products. These regulations are proven strategies that can reverse the trends in youth e-cigarette use in our state.

Youth vaping in Hawaii is a serious public health crisis with almost 31% of high schoolers using e-cigarettes. If we do not get this problem under control, we will have a new generation of youth addicted to nicotine. After years of decline, tobacco use in Hawaii is increasing among our youth, due to the popularity of vaping. It has erased all our gains in tobacco control.

Please pass HB 598 to regulate e-cigarettes as tobacco products. There is no reason at all for e-cigarettes to be available to youth due to their addictive potential and sharp increase in use. These regulations will make it harder for youth to obtain these products and protect them from a lifetime of addiction. Please take this urgent action to protect our kids from the harmful effects of vaping and ensure the future health of our children and our communities.

Thank you for your consideration and the opportunity to testify in strong support of HB 598.

HB-598-SD-1

Submitted on: 4/3/2022 10:41:28 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Bryan Mih	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a pediatrician and medical director of the Kapi'olani Smokefree Families Program, I strongly support this bill, which improves regulations on electronic smoking devices.

Electronic smoking devices are used in a similar manner as cigarettes, yet are not taxed as such. The American Academy of Pediatrics strongly supports regulation and taxation of electronic smoking devices to prevent initiation of use, especially by young people.

Hawaii has one of the highest rates of middle schoolers (18%) and high schoolers (31%) currently using e-cigarettes. For Native Hawaiian and Pacific Island youth the rates are even higher: 30% for middle schoolers and 40% for high schoolers.

Nicotine is a highly addictive drug that impacts the adolescent brain, reducing impulse control and affecting mood. Those who use e-cigarettes are four times more likely to smoke regular cigarettes later on. The e-cigarette industry claims these are cessation devices, but a recent study has shown that even if one adult can quit with these devices, the trade-off is 81 young people who will start the habit in their place. This is completely unacceptable.

Once young people are addicted to nicotine, it is extremely difficult to quit. Appropriately regulating and taxing these electronic nicotine devices just brings these products in line with laws regarding other tobacco products. This is a common sense solution that is long overdue and which will improve the health of many, especially our keiki and young people.

Mahalo for your consideration and support of this important measure.

Sincerely,

Bryan Mih, MD, MPH, FAAP

Pediatrician

HB-598-SD-1

Submitted on: 4/4/2022 6:43:15 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Carolyn Eaton	Individual	Support	Written Testimony Only

Comments:

Aloha, Chair Dela Cruz, Vice Chair Keith-Agaran and members of the Committee,

My name is Carolyn Eaton and I stand in support of this bill. My concern is for our youth and their health, their increased risk of addiction to nicotine posed by availability of e-cigarettes in the State. Please treat this public health issue with the seriousness it deserves. I am a grandmother of a teen in public school here and have his well-being and that of all our young people at heart.

Mahalo for weighing my concerns and for hearing this important measure.

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Committee on Ways and Means

TESTIMONY IN SUPPORT OF HB 598 HD 2, SD 1
RELATING TO TOBACCO PRODUCTS

My name is Julian Lipsher testifying as a private citizen in support of HB 598 HD 2, SD 1. I currently serve as Chair of the Coalition For a Tobacco Free Hawaii's Policy Committee which is part of the Hawaii Public Health Institute and formerly was with the Hawaii State Department of Health focusing on tobacco prevention and control and chronic disease prevention.

The bill as it relates to electronic smoking devices (ESD) proposes to:

- * Require licensing and permitting fees for ESD retailers and wholesalers
- * Apply a tax of 70% of the wholesale price to ESD products
- * Restrict online shipments of ESD's to only licensed retailers
- * Dedicate funds to the Tobacco Prevention & Control Trust Fund for youth education on e-cigarette prevention and education

The Hawaii State Legislature has enacted numerous pieces of legislation on traditional tobacco prevention and control measures that have resulted in significant declines in both adult and youth smoking rates, some of the lowest in the nation, saving both money and lives. Now we are faced with the challenges presented by the tobacco industry on vaping, e-cigarettes and new methods of nicotine delivery systems.

- * Tobacco taxes remain a long standing and effective strategy to reduce your initiation and ESD's are the only tobacco product not taxed making them a more attractive option regarding price for youth.
- * Enacting a licensing and permitting structure will better support current laws and regulations.
- * Requiring face-to-face sales, by restricting online purchases, will make it harder to obtain ESD's through the internet where only self-verification of age for purchase is needed.

The Legislature is encouraged to apply what has been successful strategies for traditional tobacco products, to the new electronic smoking devices and the epidemic of vaping among our youth.

Thank you for the opportunity to testify.

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice-Chair

Senator Donovan Dela Cruz, Chair

Senator Gilbert Keith-Agaran, Vice-Chair

Members of the Committees on Judiciary and Ways and Means

Re: HB 598 HD2 SD1 Relating to Tobacco Products

Honorable Senators Rhoads, Keohokalole, Dela Cruz, Keith-Agaran and members of the Committees on Judiciary and Ways and Means:

As a graduate of the University of Hawai'i, Schools of Public Health and Nursing and a lifelong resident of the State of Hawai'i, I strongly support proven strategies like taxing tobacco products and cigarettes. E-cigarettes are now the most popular tobacco product among youth – and that's largely because it's not subject to many of the regulations other tobacco products are subject to. By implementing the same policies and regulations Hawai'i used to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use.

Hawai'i is in the midst of a youth vaping epidemic, with one in three high school students and one in five middle school students reporting "current use" of e-cigarettes. Hearing elementary school teachers and administrators from our district complain about the students using flavored vaping products and having to call 911 for health emergencies is gut-wrenching and absolutely unacceptable.

E-Cigarettes are the only tobacco products without a tax!

If we are truly trying to support our keiki and citizens of Hawai'i, I'm again respectfully requesting your support of this bill. If our aim is to protect our keiki and reduce the burden of tobacco in our communities, we must do better and we must do it now.

Please support HB 598. You don't want to "be the one" to leave a legacy of doing nothing to protect our keiki.

Shelly Ogata, RN, MPH

HB-598-SD-1

Submitted on: 4/4/2022 9:17:59 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul Strauss	Individual	Support	Written Testimony Only

Comments:

In Hawai‘i, one in three high school students and one in five middle school students report “current use” of e-cigarettes (2019 YRBS). E-cigarettes are now the most popular tobacco product among youth – and that’s largely because it’s not subject to many of the regulations other tobacco products are subject to. By implementing the same policies and regulations Hawai‘i used to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use.

Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

E-cigarettes are the only tobacco products without a tax.

- We support this bill because it creates parity between e-cigarettes and other tobacco products by:
 - Applying a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price) – a meaningful price increase that is needed to reduce e-cigarette use among youth.
 - Requiring licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations.
 - Restricting online sales – requiring face-to-face purchases makes it harder for youth to obtain these products via the internet. Licensed tobacco retailers would still be able to receive shipments of products.

HB-598-SD-1

Submitted on: 4/4/2022 9:34:08 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Vlaera	Individual	Support	Written Testimony Only

Comments:

I support the HB598 bill because it creates consistency with Tobacco Products.

E-cigarettes should have the same tax rate as all the other Tobacco products (70% of the wholesale price) The Price increase will deter the youth from purchasing the e-cigarette products.

Requiring Licensing and permitting for tobacco retailers and wholesalers to help implement and enforce the Laws & regulations that our state has put in place.

Online sales is the number one way that our youth is able to purchase E-cigarettes. Having the tobacco products ban from online sales will prevent our youth from having access to purchase them. Creating a consistent Face-to-Face purchase system within our State of Hawaii retailers, will show our youth we are here to protect them and their health. I believe that passing the HB 598 is needed to help our youth develop their brain to the full potential that it can. Nicotine is hindering our children from learning in school, as well as creating a nicotine dependent child who is craving a substance in order to focus. This leads to our youth on a pathway to heavier and more dangerous drugs. We are able to prevent this by implementing the HB 598 Bill.

E-cigarettes and all the other tobacco products all have nicotine in them, this is why they should be treated the same and taxed equally. Nicotine is a very addicting substance, for youth as well as the adults. We already have taxes on tobacco products we just need to add e-cigarettes to that list.

HB-598-SD-1

Submitted on: 4/4/2022 9:48:30 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Ludvina K Takahashi	Individual	Support	Written Testimony Only

Comments:

I support enacting tobacco taxes and restricting online sales will make it harder for youth to access these dangerous products.

HB-598-SD-1

Submitted on: 4/4/2022 9:52:13 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathryn Braun	Individual	Support	Written Testimony Only

Comments:

I am a professor of Public Health, testifying as an individual in support of HB 598.

We have done a good job in Hawai'i in reducing tobacco use in the general population, which will lower health care costs in the long run. However, there are populations that continue to use tobacco, and tobacco companies are especially targeting our youth.

According to the Hawai'i Department of Health, 33% of high school students and 20% of middle school students report "current use" of e-cigarettes. This form of tobacco use is very popular with youth, in part because it is not subject to the same regulations as other tobacco products. In fact, E-cigarettes are the only tobacco products without a tax.

Implementing the same policies and regulations to this form of tobacco use can help reverse the trends in youth e-cigarette use. Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.

I support these measures:

- Apply a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price)
- Require licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations.
- Restrict online sales. Requiring face-to-face purchases makes it harder for youth to obtain these products via the internet. Licensed tobacco retailers would still be able to receive shipments of products.

My husband has Chronic Obstructive Pulmonary Disease (COPD), 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 and a likely candidate to be hospitalized with COVID-19 or the flu should he contract them. You can help prevent stories like this!

Thanks for the opportunity to testify.

HB-598-SD-1

Submitted on: 4/4/2022 9:58:24 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Valerie Smalley	Individual	Support	Written Testimony Only

Comments:

Aloha,

I have been in the field of tobacco and vaping cessation for the last 19 years and supportive of important measures that keep the population here in the state, youth and adults from ever starting one of the most addictive substances there are.

- I support this bill because it creates parity between e-cigarettes and other tobacco products by:
 - Applying a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price) – a meaningful price increase that is needed to reduce e-cigarette use among youth.
 - Requiring licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations.
 - Restricting online sales – requiring face-to-face purchases makes it harder for youth to obtain these products via the internet. Licensed tobacco retailers would still be able to receive shipments of products.

Thank you for considering taking steps that will help to save lives.

Valerie Smalley

LATE

HB-598-SD-1

Submitted on: 4/4/2022 10:06:46 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle K.	Individual	Support	Written Testimony Only

Comments:

Strong SUPPORT as taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit. E-cigarettes are just as harmful as regular cigarettes and should be treated as so. Let's reverse the trends in youth e-cigarette use and thanks for your consideration!

LATE

HB-598-SD-1

Submitted on: 4/4/2022 11:17:34 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Crystal Robello	Individual	Support	Written Testimony Only

Comments:

Aloha,

Mahalo for the opportunity to submit written testimony regarding support for this important bill. Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit. This is why this bill is so important to support. I have grown up around smokers and live next to smokers. Those who are non smokers always suffer the consequences of those who smoke. It is a financial burdensome and unhealthy to those addicted. I am in support of any bill that tries to save lives like this one and create a healthier Hawaii for future generations.

Mahalo,

Crystal

LATE

HB-598-SD-1

Submitted on: 4/4/2022 11:18:43 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Natasha Woodward	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a counselor in the DOE, I see first hand how harmful e cigarettes are to our keiki. I strongly support the bad of online sales of these products so that kids do not have such easy access.

Natasha Woodward

LATE

HB-598-SD-1

Submitted on: 4/4/2022 12:29:39 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Loren Lindborg	Individual	Support	Written Testimony Only

Comments:

Regulations on E-cigarettes are necessary to protect public health and prevent youth from addiction. E-cigarettes are the only product without a tobacco tax. There has been some recent regulation on the the shipments of these, but that's not enough. We need to regulate online sellers, retail locations, all registered sellers to make sure that these products do not get into our keiki's hands. The more regulations we impose, the less likely the vaping industry is going to be able to turn a profit and market their devices to our youth.

LATE

HB-598-SD-1

Submitted on: 4/4/2022 1:17:55 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Cyd L. Hoffeld	Individual	Support	Written Testimony Only

Comments:

Aloha and thank you for allowing me to give my testimony in **strong support** on such an important matter as **HB598 HD2 SD1**.

My name is Cyd Hoffeld, a Kānaka Maoli born and raised on Hawai'i Island. My iwi kūpuna are here and I raised my two daughters here. One thing I'm thankful about is that vaping products were not here when I was a youngster and when I was raising my girls. I'm sure that at least one of us would have become addicted to these candy-fruit flavored and highly dosed nicotine delivery systems.

As lawmakers, you had the chance to stop the vaping epidemic from affecting our children years ago by:

- Stopping the sale of flavored tobacco and vaping products including menthol flavors from entering our islands...*but you didn't and now 1 in 3 high school students and 1 in 5 middle school students report "current use" of e-cigarettes (2019 YRBS)*. Thanks.
- Restricting online sales – requiring face-to-face purchases which make it harder for youth to obtain them via the internet while allowing licensed tobacco retailers to still be able to receive shipments for adult purchaser...*but you didn't and now e-cigarettes can easily be purchased online making it the most popular tobacco product among youth*. Thanks.
- Requiring licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations. By implementing the same policies and regulations Hawai'i used to reduce cigarette use to record lows, you can reverse the trend in youth e-cigarette use...*but you haven't yet, and now any unlicensed store or hole-in-the-wall location can sell these nicotine delivery devices because they are not subject to many of the regulations other tobacco products are subject to and underage youth are being able to buy them at these places*. Thanks.
- Applying a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price) – a meaningful price increase that is needed to reduce e-cigarette use among youth...*because really, vape shops are selling these apple juice-flavored products for 99 cents, yet, you cannot even buy really apple juice in a store for that price. E-cigarettes are the **only** tobacco products without a tax. It is not only a significant loss of revenue that the state could use for tobacco prevention and cessation programs, we also know that taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourages those who smoke or use tobacco products to quit...but you*

haven't attached a meaningful tax to these nicotine delivery systems, yet, and now a kindergartener can afford to buy them. Thanks.

I understand that re-elections are built on your ability to fundraise and that Big Tobacco has deep pockets and are generous with their campaign donations...*we've been keeping track of how much of their money lawmakers are taking and which bills move through and which ones are stopped because of ridiculous add-ons or because they are not heard. The recent political scandals have made us pay more attention (maka'ala) to things like that and with upcoming elections it should be more important for you to do the right thing and not just pretend to.*

Please remember that we elected you to create the best protections for us, our children, our communities, and our state. You have failed us and our children for years when it comes to Tobacco Policies. The alarming increase of e-cigarette use in youth populations is a testament to your shameful failures to protect our children. We did not elect you so you could protect the financial interests of Big Businesses like the Tobacco Industry, especially off the backs, spongy tissue lungs, developing brains, and increased future healthcare needs of our children who are addicted to nicotine TODAY...but you can change things for the better TODAY!

I **strongly support HB 598** and I hope for the future health and well-being of our keiki and our lāhui that you will too.

Mahalo!

LATE

HB-598-SD-1

Submitted on: 4/4/2022 2:39:11 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Liza Ryan Gill	Individual	Support	Written Testimony Only

Comments:

Dear Chair Dela Cruz and Chair Rhoads,

It is imperative that we take action to address the health and safety of our keiki. For too long the state has held back from regulating and/or taxing the burgeoning e-cigarette industry. Leaving these products unregulated and proliferating on the market. The same tobacco companies that sold cigarettes to the generations before us are now trying to find new "lifelong customers" by creating and advertising products that appeal to children. By taxing these products we can help reduce the use of addictive nicotine among our teens, pre-teens, and elementary age kids who are more price sensitive than adults. Please tax and regulate e-cigarettes.

- In Hawai‘i, one in three high school students and one in five middle school students report “current use” of e-cigarettes (2019 YRBS). E-cigarettes are now the most popular tobacco product among youth – and that’s largely because it’s not subject to many of the regulations other tobacco products are subject to. By implementing the same policies and regulations Hawai‘i used to reduce cigarette use to record lows, we can reverse the trends in youth e-cigarette use.
- Taxing tobacco products and cigarettes is a proven strategy to reduce youth initiation and encourage those who smoke or use tobacco products to quit.
- E-cigarettes are the only tobacco products without a tax.
- We support this bill because it creates parity between e-cigarettes and other tobacco products by:
 - Applying a tobacco tax to e-cigarettes at the same rate as other tobacco products (70% of the wholesale price) – a meaningful price increase that is needed to reduce e-cigarette use among youth.
 - Requiring licensing and permitting for tobacco retailers and wholesalers to help implement and enforce current laws and regulations.
 - Restricting online sales – requiring face-to-face purchases makes it harder for youth to obtain these products via the internet. Licensed tobacco retailers would still be able to receive shipments of products.

Mahalo,

Liza Ryan Gill

Round Top Drive

LATE

HB-598-SD-1

Submitted on: 4/4/2022 4:29:00 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephanie Austin	Individual	Support	Written Testimony Only

Comments:

Please support this important bill for the health of Hawaii's youth!

LATE



To Chairs Karl Rhoads and Donovan Dela-Cruz, Vice Chairs Jarrett Keohokalole and Gilbert Keith-Agaran, and members of the Senate Committees on Judiciary and Ways & Means.

On behalf of the Coalition for a Tobacco-Free Hawaii's (CTFH) Youth Council, we are **supporting HB 598**. The CTFH Youth Council is a nationally-recognized group of future youth leaders fighting for the health of their own generation against the powerful influences of Big Tobacco. The Youth Council consists of over 80 middle, high school, and college students, with representation across all of the counties.

In 2019, the most recent data from Hawai'i available, one in three high school students and one in five middle school students report "current use" of e-cigarettes. As many know, these products are harmful to youth in particular, containing toxic chemicals like nicotine and formaldehyde that destroy the developing brain. In fact, over 21,000 Hawai'i youth alive today will die from tobacco-related illness if smoking rates don't change.

But beyond numbers, countless students from across the state and nation have chronicled their experiences with e-cigarettes – whether watching their friends fall victim to the predatory marketing of the industry, seeing their school bathrooms cloud with smoke, or even reporting the struggle of recovering from nicotine addiction themselves. Students today are under siege by an industry that profits off of addiction.

Currently, however, e-cigarettes aren't regulated as effectively as they should be – often lacking parity with their other tobacco product counterparts. Today, there's no tobacco tax attached to e-cigarettes; anyone can get irrevocable permission to sell e-cigarettes, so long as they're registered with the Attorney General's Office; the tobacco license is only \$2.50 annually and a retail permit is \$20 annually; with online loopholes, e-

cigarettes are just a click away for many youth. Stronger regulations are imperative to curbing the youth vaping epidemic and key to creating a world prioritizing public health.

Taxing e-cigarettes at the same rate as other tobacco products isn't only sensible, it can effectively work to reduce youth-use rates. A 10% increase in the price of disposable e-cigarettes reduces sales by approximately 12%, and by 19% for reusable e-cigarettes – and with youth especially sensitive to price changes, taxation will provide an effective strategy to discourage youth-use driven by Big Tobacco's exploitation. In fact, according to Dr. Arnold Levinson of the Colorado School of Public Health, **“tobacco taxes are the most equitable strategy to reduce smoking – they narrow disparities more than any other tobacco fighting approach.”**

Moreover, effectively instituting permitting and licensing laws through the Department of Taxation would allow for accurate enforcement of Tobacco 21 Laws. Keeping checks on places where youth may be purchasing e-cigarette products will allow us to ensure their health and safety are prioritized.

Finally, restricting online sales and shipment of tobacco to only tobacco licensees will work to close easily exploitable loopholes. **Students as young as 6th grade have reported being able to buy e-cigarettes online with a debit card they can get at the corner store.** Inaction only enables youth to not only be taken advantage of by the tobacco industry, but for them to easily pave a road for youth to be manipulated on. If combustible cigarettes can't be ordered online, neither should e-cigarettes.

Equitably taxing e-cigarettes, instituting permitting and licensing, and restricting online sales would work to end this deadly cycle of addiction and manipulation. In doing so, we can prevent the industry from exploiting low price tags, loose regulation, and the ambiguity of the internet to hook generations of children to their products.

But, it's not just youth – we have support from more than 100 organizations, many of which have also submitted testimony. Youth have presented to over 20 Oahu neighborhood boards that have passed resolutions in support, along with organizations like the Association of Hawaiian Civic Clubs, the Honolulu Youth Commission, Parents for Public Schools of Hawai'i, and many more. You can see a partial list below.

We strongly support HB 598 and request that the bill be passed. It's time to put people over the profits of Big Tobacco. It's time to protect our keiki.



PARTIAL LIST OF SUPPORTERS TO END THE SALE OF ALL FLAVORED TOBACCO PRODUCTS IN HAWAII

HEALTH ORGANIZATIONS

'Ohana Health Plan
Adventist Health – Castle
Aloha Care
AMA/HMA Student Chapter at JABSOM
American Academy of Pediatrics – Hawaii Chapter
American Heart Association
American Lung Association
Bay Clinic Inc.
Blue Zones Project
Campaign for Tobacco-Free Kids
Coalition for a Drug-Free Hawaii
Coalition for a Tobacco-Free Hawai'i a program of Hawai'i Public Health Institute
Hamakua Kohala Health Centers
Hawaii – American Nurses Association (Hawaii-ANA)
Hawaii COPD Coalition
Hawaii Dental Hygienists' Association
Hawaii Health and Harm Reduction Center
Hawai'i Nurses' Association OPEIU Local 50
Hawaii Public Health Association
Hui No Ke Ola Pono
Hui Ola Pono (UH Public Health's Student Organization)
Kaho'omiki; Hawaii Council of Physical Activity and Nutrition
Kauai Rural Health Association

Keiki Injury Prevention Coalition
Na Lei Wili Area Health Education Center, Inc.
The Queen's Health Systems
Tobacco Prevention Project, Daniel K. Inouye College of Pharmacy
University of Hawaii Student Health Advisory Council
US COPD Coalition
Waimānalo Health Center

YOUTH AND COMMUNITY ORGANIZATIONS

After-School All-Stars Hawaii
American Youth Soccer Organization (AYSO)
Association of Hawaiian Civic Clubs
Big Island Interscholastic Federation (BIIF)
Hale 'Ōpio Kaua'i Inc.
Hawaii Children's Action Network
Hawaii Interscholastic Athletic Directors Association
Hawaii State Teachers Association (HSTA)
Hawai'i Youth Climate Coalition
Hawaii Youth Services Network
Honolulu Youth Commission
Kanu o ka 'Āina Learning Ohana (KALO)
Kauai Path Inc.
LearningBond
Pacific American Foundation
Parents for Public Schools of Hawai'i
Partners in Development Foundation
Residential Youth Services & Empowerment (RYSE)
The Friends of Kamalani and Lydgate Park
Waipahu Intermediate Youth For Safety

NEIGHBORHOOD BOARDS

Kuliouou-Kalani Iki Neighborhood Board 02
Kaimuki Neighborhood Board 04
Diamond Head Neighborhood Board 05
Palolo Neighborhood Board 06
McCully-Moilili Neighborhood Board 08
Ala Moana/Kaka'ako Neighborhood Board 11
Nuuanu/Punchbowl Neighborhood Board 12
Liliha/Puunui/Alewa Neighborhood Board 14
Aliamanu-Salt Lake Neighborhood Board 18
Aiea Neighborhood Board 20
Pearl City Neighborhood Board 21
Waipahu Neighborhood Board 22

Ewa Neighborhood Board 23
Mililani-Waipio Neighborhood Board 25
Koolauloa Neighborhood Board 28
Kahaluu Neighborhood Board 29
Kaneohe Neighborhood Board 30
Waimanalo Neighborhood Board 32
Mililani Mauka- Launani Valley Neighborhood Board 35
Nanakuli-Mailii Neighborhood Board 36

BUSINESSES

Country Courier, LLC
Hana Lima Physical Therapy
Home Remedies Interior Design
JCS Enterprises Inc.
Pediatric Therapies Hawaii

SCHOOLS

Damien Memorial School
Hawaii Association of Independent Schools (HAIS)
Hawaii Council of Private Schools (HCPS)
Holy Family Catholic Academy
Island Pacific Academy
Maryknoll School
Maui Preparatory Academy
Mid-Pacific Institute
Roots School
St. Andrew's Schools

HEALTH & COMMUNITY LEADERS

Kathryn Akioka, RRT / TTS
Joy Barua
Forrest Batz, PharmD
Frank Baum, MD
Deborah Bond-Upson
Dale Carstensen
Valerie Chang
Dyson Chee
Danelle Cheng
Bridgitte Daniel
May Rose Dela Cruz, DrPH

Andrew Fox, MD
Shani Gacayan
Donita Garcia
Asaka Herman
Pedro Haro, MPH
Cyd Hoffeld
Colleen Inouye, MD
Lila Johnson
Leilani Kailiawa
Lehua Kaulukukui
Ken Kozuma
Mark Levin
Loren Lindborg
Katherine May, PsychD
Bryan Mih, MD
Kristin Mills
Shelly Ogata
Gregg Pacilio, PT
Matthew Prellberg
Jordan Ragasa
Nathalie Razo
Keenan Reader
Crystal Robello
Kimberly Golis-Robello
Mary Santa Maria
Patty Kahanamoku-Teruya
Chien-Wen Tseng, MD
John A Hau'oli Tomoso
Jennifer Valera
Cecilia Villafuerte
Linda Weiner, MD
Matthew Wong

LATE

HB-598-SD-1

Submitted on: 4/4/2022 4:39:45 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
David McCann	Individual	Oppose	Written Testimony Only

Comments:

Opposed to this unfair over regulation.

LATE

HB-598-SD-1

Submitted on: 4/4/2022 4:58:16 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Clayton Silva	Individual	Oppose	Written Testimony Only

Comments:

Please leave e-cigs alone. They help me smoke less and that helps my health.

LATE

HB-598-SD-1

Submitted on: 4/4/2022 5:01:42 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Chang	Individual	Oppose	Written Testimony Only

Comments:

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LATE

HB-598-SD-1

Submitted on: 4/4/2022 10:11:43 PM
Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Logan Lau	Individual	Support	Written Testimony Only

Comments:

Logan Lau

(808)206-6108 | logan.lau@imua.ksbe.edu

Aloha, my name is Logan Kekoa Lau, and I am from ‘Āina Haina and am a current senior at Kamehameha Schools Kapālama. Today, I stand in strong support of bill HB598.

To give a brief context, smoking, which includes e-cigarette use, is the number one cause of preventable disease and death. It is currently responsible for approximately 7 million deaths per year and is increasing tremendously, as, by 2030, it is set to kill 8 million people per year ([CDC](#)).

Thus, I believe a ban on flavored tobacco products including menthol is crucial in order to keep our Keiki (my peers) safe for generations to come. Menthol, in particular, is responsible for the minty flavor used in many e-liquids that makes it easier for youth to start and harder for them to quit. This is evidenced by the fact that in Hawai‘i, 78% of Native Hawaiian and Pacific Islander smokers use menthol cigarettes ([Hawai‘i BRFSS](#)). The consequences of this are that while nicotine and tobacco addiction are deadly for everyone, Native Hawaiians (like myself) die from lung cancer at one of the highest rates among other ethnic groups ([American Cancer Society](#)). To quantify this impact, a recent report found that 21,000 youth alive today in Hawai‘i will ultimately die from a tobacco-related illness if smoking rates do not decline ([CTFK](#)). Thus, it’s no wonder why it’s the number one cause of death in the U.S. and the world and why the time to act is now ([CDC](#)).

With the explosion of the youth vaping epidemic in Hawai‘i, coupled with the COVID-19 pandemic and the toll it has on our lungs, time is of the essence. For far too long, BIG tobacco has used illusive marketing strategies, which target younger generations like my

own. Appealing flavors are driving up youth tobacco use in our state and with thousands of kid-friendly flavors on the market-15,586 to be exact-and little regulation involving their sale, the industry has no incentive to stop selling them [\(NCBI\)](#). These flavors ultimately entice younger generations and get them hooked on nicotine. This is also evidenced by the significant spending budgets that major tobacco companies allocate towards advertising. According to recent Federal Trade Commission (FTC) reports on tobacco marketing, the five largest tobacco companies spend approximately \$8.4 billion per year, which equates to over \$23 million every day, to promote their products, and entice young kids [\(FTC\)](#). However, as outrageous as that figure may sound, nothing garners more disgust than when Lorillard Tobacco-now Reynold American the 2nd largest tobacco company in the U.S.-exec TL Archey said “The base of our business is the high school student.” That said, it’s no wonder that 95% of smokers start before the age of 21 [\(NCBI\)](#).

To make matters worse, BIG tobacco focuses its marketing efforts on low-income areas that are economically vulnerable. Simply put, they exploit the health and wellbeing of their users in the pursuit of personal gain. Sales representative from R.J. Reynolds Tobacco said it best, “We don’t smoke that sh*t. We just sell it. We reserve the right to smoke for the young, the poor, the black and stupid” (The Times). This, in and of itself, is a social justice issue. And because of this, tobacco use and tobacco-related illnesses have been affecting Hawai‘i’s communities disproportionately. Strategic targeting and aggressive marketing by the tobacco industry, which for years has labeled Hawai‘i as “the menthol State,” is a major factor in Hawai‘i’s youth e-cigarette use, increasing for both high school and even middle school students. In fact, In Hawai‘i, one in three high school students and one in five middle school students report “current use” of e-cigarettes, thus contributing to the fact that e-cigarette use is the highest among Native Hawaiian and Pacific Islander youth like myself [\(YRBS\)](#). Truly, we are in the midst of a youth vaping epidemic, and the targeted marketing by these tobacco empires are to blame [\(NCBI\)](#).

If this bill is passed, I hope to see a significant decrease in the number of teens using e-cigarettes which will hopefully spell the end of the youth vaping epidemic and will protect my peers who are already facing a global pandemic.

In closing, I’d like to share a personal story of a high school student that gets addicted to vaping via flavored tobacco products, more specifically menthol. This soon grows into a much larger nicotine addiction which leads to the use of other drugs. Nicotine rewires the brain making users more likely to use and become addicted to other drugs, and this is exactly what happened. The nicotine addiction soon turns into a harder drug addiction, and while this student graduates and goes on to USC, within a matter of months, they are expelled and sent back home because of their drug addiction. But the story doesn’t end there. They now have a prison record and live on the streets. This, someone, was a very

close family friend of mine. Thus, I am writing this today to ensure that this can never happen to anyone else. Thank you.

Mahalo nui,

Logan

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LATE

HB-598-SD-1

Submitted on: 4/4/2022 11:43:24 PM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Lani Hernandez	Individual	Oppose	Written Testimony Only

Comments:

We should have our own right to choose protected.

HB-598-SD-1

Submitted on: 4/5/2022 9:40:53 AM

Testimony for WAM on 4/5/2022 10:05:00 AM

Submitted By	Organization	Testifier Position	Testify
Martha Nicholas	Individual	Support	Written Testimony Only

Comments:

HB 598

Tuesday, April 5, 2022

10:05 AM Conference Room 211

IN STRONG SUPPORT OF HB 598

Aloha Senate Committee on Way and Means & Judiciary,

My name is Martha Nicholas and I am currently a student at the University of Hawaii at Manoa. As someone who has seen multiple complications with past family members due to early smoking and tobacco use, it serves a great deal to regulate the access for youth. Modern E-cigarettes have been designed to be easily hidden which makes it difficult for teachers and parents to regulate these products. I have experienced the growth in popularity of E-cigarettes and fellow classmates whose mental health has depleted due to addiction. Thus, the fact that middle school students are utilizing these products can hinder their development. Establishing taxes on E-cigarettes and tobacco can play a pivotal role in preventing health issues for them in the future.

I strongly support passing HB 598 as youth smoking does not only affect the individual but the loved ones surrounding them. Mahalo.