

STAND. COM. REP. NO.

1280

Honolulu, Hawaii

MAR 17 , 2023

RE: S.B. No. 1447
S.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1447, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Repeal existing state law that:
 - (A) Preempted local ordinances or regulations from regulating the sale of cigarettes, tobacco products, and electronic smoking devices; and
 - (B) Nullified and voided existing local laws and regulations that conflicted with the state law on smoking; and
- (2) Allow the counties to regulate the sale of cigarettes, tobacco products, and electronic smoking devices, as long as the ordinances do not directly conflict with and are more stringent than the state law on smoking.

Your Committee received testimony in support of this measure from the Department of Health; one member of the Hawai'i County Council; Hawaii State Teachers Association; Hawai'i State

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Association of Counties; Campaign for Tobacco-Free Kids; American Heart Association; American Lung Association; American Cancer Society Cancer Action Network; Hawaii COPD Coalition; Hawai'i Public Health Institute; Hawaii Primary Care Association; Papa Ola Lokahi; We Are One, Inc.; Hawaii Substance Abuse Coalition; Hawaii Association of Independent Schools; and seventeen individuals. Your Committee received testimony in opposition to this measure from the Consumer Choice Center, Aloha Petroleum, Minit Stop, Par Hawaii, Americans for Tax Reform, Hawaii Smokers Alliance, National Taxpayers Union, and eight individuals. Your Committee received comments on this measure from the Taxpayers Protection Alliance.

Your Committee finds that the counties are in the best position to quickly address emerging issues related tobacco use in their communities, including tobacco use among youth. This measure would amend existing state law to clarify how the counties may regulate the sale of cigarettes, tobacco products, and electronic smoking devices.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1447, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,

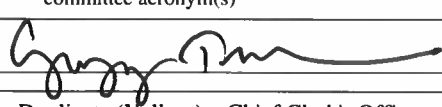


DAVID A. TARNAS, Chair



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Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 1447, SD1	Committee Referral: JHA, CPC, FIN	Date: 3/15/2023		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	✓			
3. GANADEN, Sonny	✓			
4. HOLT, Daniel	✓			
5. HASHIMOTO, Troy N.				✓
6. ICHIYAMA, Linda	✓			
7. ILAGAN, Greggor	✓			
8. KONG, Sam Satoru				✓
9. MIZUNO, John M.	✓			
10. SOUZA, Kanani	✓			
TOTAL (10)	8	-	-	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
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