

STAND. COM. REP. NO.

1090

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1280  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred S.B. No. 1280 entitled:

"A BILL FOR AN ACT RELATING TO FUNDING FOR THE DEPARTMENT OF THE ATTORNEY GENERAL TOBACCO ENFORCEMENT UNIT,"

beg leave to report as follows:

The purpose and intent of this measure is to stabilize and increase funding for the Tobacco Enforcement Unit within the Department of the Attorney General.

More specifically, this measure increases the:

- (1) Amount of funds that the Tobacco Enforcement Special Fund may carry over at the end of each fiscal year;
- (2) Cigarette tax stamp fee and the percentage of that fee allotted to the Tobacco Enforcement Special Fund; and
- (3) Sum of moneys received from the tobacco settlement as set forth in sections 28-15(c), 245-26(a), and 328L-2(a), Hawaii Revised Statutes.



Your Committees received written comments in support of this measure from the Department of the Attorney General, Department of Health, Department of Taxation, American Cancer Society Cancer Action Network, Hawaii Public Health Institute, and Hawaii Primary Care Association.

Your Committees received written comments in opposition to this measure from three individuals.

Your Committees received written comments on this measure from the Tax Foundation of Hawaii.

Your Committees find that the Tobacco Enforcement Special Fund supports efforts of the Tobacco Enforcement Unit of the Department of the Attorney General's to administer, monitor, and enforce the Tobacco Master Settlement Agreement and related Hawaii laws, including Chapters 486P and 675, Hawaii Revised Statutes. Your Committees also find that, pursuant to section 245-26(a)(2), Hawaii Revised Statutes, the Tobacco Enforcement Special Fund is partially funded by the cigarette tax stamp fee. However, the amounts of the cigarette tax stamp revenues deposited into the Tobacco Enforcement Special Fund have noticeably dropped in recent years. Your Committees further find that, to maintain the Tobacco Enforcement Unit's diligent enforcement efforts and to minimize the risk of losing the Master Settlement Agreement annual payments, it is critical that the unit receive adequate and continuous funding.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1280, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1280, S.D. 1.

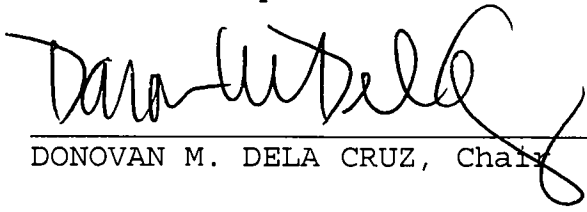


Respectfully submitted on  
behalf of the members of the  
Committees on Ways and Means  
and Judiciary,



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KARL RHOADS, Chair



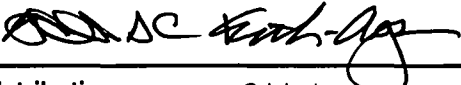
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DONOVAN M. DELA CRUZ, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB 1280</b>	Committee Referral: <b>HHS, WAM/ JDC</b>	Date: <b>3/3/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	<b>12</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 1280	HHS, JAM / JDC	3/3/23

The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312       Pass, with amendments 2311       Hold 2310       Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	5	—	—	—

Recommendation:  Adopted       Not Adopted

Chair's or Designee's Signature:  


Distribution:      Original      Yellow      Pink      Goldenrod  
 File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy

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