



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

H.B. NO. 380, H.D. 1, RELATING TO THE REGULATION OF TOBACCO PRODUCTS.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Thursday, February 13, 2025 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

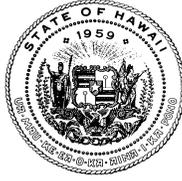
TESTIFIER(S): Anne E. Lopez, Attorney General, or
Richard W. Stacey, Deputy Attorney General

Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) supports this bill and offers the following comments.

This bill would repeal the preemption on county ordinances that regulate the sale of tobacco products. Hawaii's youth has been disproportionately affected by the nationwide vaping epidemic, and the Department supports restoring the counties' authority to adopt more stringent ordinances to regulate these harmful and addictive products targeted at our youth.

We respectfully ask the Committee to make this bill effective upon its approval by restoring the effective date and pass this bill. Thank you for the opportunity to testify.



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

Testimony in SUPPORT of H.B. 380, H.D. 1
RELATING TO THE REGULATION OF TOBACCO PRODUCTS

REPRESENTATIVE DAVID A. TARNAS, CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Hearing Date: February 13, 2025, 2:00 p.m.

Room Number: Conference Room 325

1 **Fiscal Implications:** None

2 **Department Position:** The Department of Health (DOH) supports House Bill 380, House Draft 1
3 (H.B. 380, H.D. 1).

4 **Department Testimony:** H.B. 380, H.D. 1 is a public health and social justice measure to
5 reestablish the legal authority of Hawaii's counties to enact policies that regulate the sale of
6 cigarettes and tobacco products including electronic smoking devices (ESDs) that are more
7 stringent than state law. H.B. 380, H.D. 1 repeals existing law that preempts all local ordinances
8 or regulations that regulate the sale of cigarettes and tobacco products including ESDs.

9 H.B. 380, H.D. 1 would reinstate the authority that counties exercised to protect their
10 communities prior to the 2018 legislative session that added Section 328J-11.5, HRS through
11 [Act 206, HB1895 CD1, 2018 Hawaii Session Laws \(HSL\)](#).

12 Geographic tobacco related disparities are a serious public health problem in Hawaii and
13 innovative, community-based solutions are needed. While 10% of adults in the general

1 population smoke, adults in Hawaii County have the highest prevalence of smoking at 13%.¹
2 Smoking rates within some communities are higher such as in Puna/Ka'u (19%) and
3 Nanakuli/Wai'anae (21%).² For young adults ages 18-24, Maui County had the highest current
4 ESD use at 25% compared to Hawaii County (23%), Honolulu (21%) and Kauai (16%).³ According
5 to the 2023 Hawaii Youth Risk Behavior Survey results, Hawaii and Maui County high school
6 youth reported current ESD use at 15%, compared to Kauai and Honolulu at 12%.⁴ In 2023,
7 while there was an uptick in middle school ESD use overall, Hawaii County middle schoolers still
8 had the highest prevalence for all measures including ever (22%), current (14%), frequent (5%),
9 and daily (4%) use.^{5,6,7,8} Counties and communities are concerned over the continued
10 marketing of tobacco products and want the ability to respond to pressing local needs,
11 especially in jurisdictions that bear a greater burden of tobacco use.

12 According to Julie Aoki in the Journal of Law and Medical Ethics, "From a health equity
13 standpoint, the use of local knowledge to forge community-specific solutions enables localities
14 to employ a targeted approach to combat health disparities and ensue equitable access to
15 better public health."⁹ Hawaii's counties understand their youth and must be empowered to
16 respond to policy requests from communities that are most affected.

¹ *Hawai'i IBIS - Query Result—Hawaii's Behavioral Risk Factor Surveillance System (BRFSS) Data—Cigarettes—Current smoker.* (2022) Retrieved January 27, 2025, from https://hhdw.org/report/query/result/brfss/SmokeCurrent/SmokeCurrentCrude11_.html

² *Hawai'i IBIS - Query Result—Hawaii's Behavioral Risk Factor Surveillance System (BRFSS) Data—Cigarettes—Current smoker.* (2022) Retrieved January 27, 2025, from https://hhdw.org/report/query/result/brfss/SmokeCurrent/SmokeCurrentCrude11_.html

³ *Hawai'i IBIS - Query Result—Hawaii's Behavioral Risk Factor Surveillance System (BRFSS) Data—Cigarettes—Current E-cig.* (2022) Retrieved January 27, 2025, from https://hhdw.org/report/query/result/brfss/SmokeECigsCurr/SmokeECigsCurrCrude11_.html

⁴ *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, High Schools, County-level.* (2023). Retrieved January 24, 2025, from https://hhdw.org/report/query/result/yrbs/VaporCurr/VaporCurr_HS_CNTY.html

⁵ *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Ever use, Middle Schools, County-level.* (2023). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrbs/VaporEver/VaporEver_MS_CNTY.html

⁶ *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Current use, Middle Schools, County-level.* (2023). Retrieved January 24, 2025, from https://hhdw.org/report/query/result/yrbs/VaporCurr/VaporCurr_MS_CNTY.html

⁷ *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Frequent use, Middle Schools, County-level.* (2023). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrbs/VaporFreq/VaporFreq_MS_CNTY.html

⁸ *Hawai'i IBIS - Query Result—Hawai'i Youth Risk Behavior Survey (YRBS) Data—Electronic vapor product—Daily use, Middle Schools, County-level.* (2023). Retrieved January 27, 2025, from https://hhdw.org/report/query/result/yrbs/VaporDaily/VaporDaily_MS_CNTY.html

⁹ Julie Ralston Aoki et al., *Maximizing Community Voices to Address Health Inequities: How the Law Hinders and Helps*, 45 J. Law Med. Ethics, 11 (2017)

1 Historically, local communities in Hawaii have been visionaries in adopting strong and
2 innovative public health and tobacco control policies that changed social norms across the
3 entire state. Smoke-free restaurants, worksites, beaches and parks, and automobiles with
4 minors inside are examples of public health protective ordinances that were generated by
5 counties. Hawaii’s landmark legislation, the Tobacco 21 Law (Act 122, 2015 HSL), was initially
6 introduced and passed by the Hawaii County Council in 2014.

7 The DOH supports H.B. 380, H.D. 1 as an important public health and social justice
8 measure to support community-based innovations to protect and advance the health and
9 opportunities for adults and keiki wherever they live in Hawaii.

10 **Offered Amendments:** None

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

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Fern Holland
Arryl Kaneshiro



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawaii 96766

February 11, 2025

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON
HB 108, HD 1, RELATING TO INTOXICATING LIQUOR
AND
HB 380, HD 1, RELATING TO THE REGULATION OF TOBACCO PRODUCTS
House Committee on Judiciary & Hawaiian Affairs
Thursday, February 13, 2025
2:00 p.m.
Conference Room 325
Via Videoconference**

Dear Chair Tarnas and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 108, HD 1, Relating to Intoxicating Liquor and HB 380, HD 1, Relating to the Regulation of Tobacco Products. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 108, HD 1 and HB 380, HD 1, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 108, HD 1 and HB 380, HD 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

AAO:dmc

Jennifer Kagiwada
Council Member District 2 South Hilo



Office: (808) 961-8272
jennifer.kagiwada@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 11, 2025
TO: House Committee on Judiciary and Hawaiian Affairs
FROM: Jennifer Kagiwada, Council Member
Council District 2
SUBJECT: HB 380

Aloha Chair Tarnas, Vice Chair Poepoe, and Committee Members,

I am testifying in strong support of HB 380, which would repeal existing statutory language that: (1) declares that the sale of cigarettes, tobacco products, and electronic devices are a statewide concern; and (2) preempts all local ordinances and regulations that regulate the sale of cigarettes, tobacco products, and electronic devices.

Reauthorizing Counties to regulate the sale of tobacco products allows for even more opportunities for innovative policies at the local level. County legislators are not being lobbied by tobacco industry representatives, which means they are in a position, to more easily pass laws that put public health for our residents first. Cutting back on tobacco sales and use can improve public health and reduce health care costs associated with tobacco related illnesses, a benefit to us all.

Counties have a strong track record of passing successful tobacco policies, with less interference from big tobacco companies. Hawai'i County has a good history of helping to pass public health policies such as Tobacco 21 and smoke-free air laws.

The City and County of Honolulu and Hawai'i County recently passed legislation ending the sale of flavored tobacco and were met with an overwhelming amount of public support. However, these laws cannot be enacted until the county authority is restored.

Mahalo for the opportunity to testify in support of this bill.

Mahalo,

A handwritten signature in black ink, appearing to read "Jenn Kagiwada".

Jenn Kagiwada

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
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Arryl Kaneshiro



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Lihu'e, Kaua'i, Hawai'i 96766

February 11, 2025

**TESTIMONY OF BERNARD P. CARVALHO, JR.
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

HB 380, HD 1, RELATING TO THE REGULATION OF TOBACCO PRODUCTS

House Committee on Judiciary & Hawaiian Affairs

Thursday, February 13, 2025

2:00 p.m.

Conference Room 325

Via Videoconference

Dear Chair Tarnas and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 380, HD 1, Relating to the Regulation of Tobacco Products. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council and Secretary of the Hawai'i State Association of Counties.

HB 380, HD1 seeks to repeal existing statutory language that preempts local ordinances and regulations regarding the sale of cigarettes, tobacco products, and electronic smoking devices.

Tobacco use, particularly among youth, remains a serious public health concern in Hawai'i. The increasing rates of youth vaping highlight the need for stronger, localized measures to regulate these harmful products. By allowing counties to enact their own regulations, this Bill empowers local governments to respond more effectively to the unique needs of their communities and implement targeted strategies to protect public health.

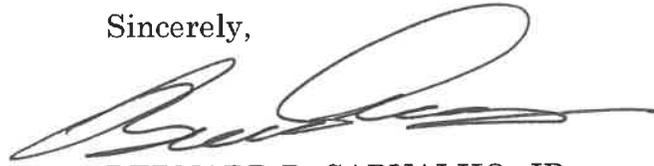
Restoring local control over tobacco regulation is a critical step in addressing the youth vaping epidemic and ensuring that communities have the necessary tools to reduce tobacco use and its associated health risks.

I respectfully urge the committee to pass HB380, HD1 and allow for stronger, community-driven solutions to this pressing issue.

Chair Tarnas and Members of the Committee
Re: HB 380, HD 1, Relating to the Regulation of Tobacco Products
February 11, 2025
Page 2

Thank you again for this opportunity to provide testimony in support of HB 380, HD 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard P. Carvalho, Jr.", written in a cursive style.

BERNARD P. CARVALHO, JR.
Councilmember, Kaua'i County Council

AAO:slr



Testimony of the Hawai'i State Association of Counties

H.B. No. 380 HD1 - Support

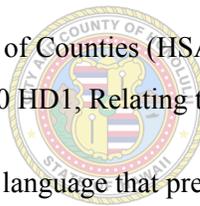
Relating to the Regulation of Tobacco Products

Committee on Judiciary & Hawaiian Affairs

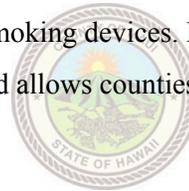
Thursday, February 13, 2025, 2 p.m.



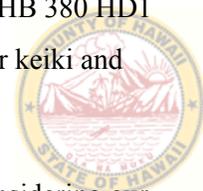
The Hawai'i State Association of Counties (HSAC) appreciates the opportunity to provide testimony in **strong support** of HB 380 HD1, Relating to the Regulation of Tobacco Products.



This measure repeals statutory language that preempts counties from adopting ordinances to regulate the sale of cigarettes, tobacco products, and electronic smoking devices. Restoring local authority in this area is critical to addressing the youth vaping epidemic and allows counties to implement tailored policies that meet the unique needs of their communities.



The statistics are clear: tobacco use, particularly among youth, remains an alarming public health concern. As local governments, counties are uniquely positioned to respond swiftly and effectively to public health challenges in ways that reflect the values and priorities of their residents. HB 380 HD1 empowers counties to take meaningful action to protect the health and well-being of our keiki and communities.



We urge the committee to advance this important legislation. Thank you for considering our testimony, and we stand ready to assist in your efforts to support public health.



Hawaii COPD Coalition

P O Box 240053

Honolulu, HI 96824

hicopd@gmail.com

(808)699-9839

February 10, 2025

Honorable Chair Representative David Tarnas
Honorable Vice-Chair Representatives Mahina Poepoe
Members of the House Committee on Judiciary & Hawaiian Affairs

RE: **Strong Support for HB380,HD1, Relating to Regulation of Tobacco Products: Home Rule & Repealing Preemption**

Dear Chair Tarnas, Vice Chair Poepoe, and members of the House Committee on Judiciary & Hawaiian Affairs,

This measure is extremely critical to the health of the children of our state and our entire state as well. **Please pass HB380,HD1**, Relating to Regulation of Tobacco Products which would reinstate HOME RULE and repeal pre-emption of local ordinances which regulate cigarettes, tobacco products and electronic smoking devices.

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 and requiring support from society than they or any of us would like.

RESTORING LOCAL CONTROL

- Local governments need the ability to pass evidence-based policies to address the needs of their community.
- Local governments act as hubs where new public health strategies are created and implemented. To promote health equity, local officials should be empowered to enact laws that cater to the unique needs of their communities, with state governments playing a role in supporting and expanding on these community-based solutions.
- Some of Hawai'i's most successful tobacco policies started at the local level, including smoke-free air laws, changing the age to purchase tobacco products to 21 years old, and smoke-free cars while keiki are present.
- Since 2018, only the state can enact regulations on the sale of tobacco products.

- The City and County of Honolulu and Hawai'i County have passed legislation on ending the sale of flavored tobacco, but these laws cannot go into effect until county authority is restored. Maui County is working on its own bill that would be effective when they are allowed Home Rule.

Please help protect the lungs and lives of our people from flavored and mislabeled nicotine products and other harmful nicotine products. We urge you to please **vote in favor of HB380,HD1 and pass it out of committee so our keiki, community, and state will be protected via local evidence-based policies that protect the communities where the problems are most acutely felt.** 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



**Testimony to the House Committee on Judiciary and Hawaiian Affairs
Thursday, February 13, 2025; 2:00 p.m.
State Capitol, Conference Room 325
Via Videoconference**

RE: HOUSE BILL NO. 0380, HOUSE DRAFT 1, RELATING TO THE REGULATION OF TOBACCO PRODUCTS.

Chair Tarnas, Vice Chair Poepoe, and Members of the 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. 1563, House 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.

This bill, as received by your Committee, is part of the Hawaii State Association of Counties legislative package. It would repeal existing statutory language that:

- (1) Declares that the sale of cigarettes, tobacco products, and electronic devices are a statewide concern; and
- (2) Preempts all local ordinances and regulations that regulate the sale of cigarettes, tobacco products, and electronic devices.

The bill would take effect on July 1, 3000.

Testimony on House Bill No. 0380, House Draft 1
Thursday, February 13, 2025; 2:00 p.m.
Page 2

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. Because of this, the HPCA supports efforts that would improve enforcement of existing regulation and create disincentives for consumers to use these products.

In 2018, the Hawaii State Legislature enacted Act 206 to establish the State policy that the sale of cigarettes, tobacco products, and electronic smoking devices is a matter of statewide concern, thus nullifying any local ordinances or policies that restricted the sale of these products that were in effect at that time. Since Act 206 was enacted, youth consumption of tobacco products has increased resulting in the American Lung Association giving the State of Hawaii an "F" for failing to prevent access to flavored tobacco products like menthol cigarettes and fruity-flavored electronic smoking products.

Because of this, the HPCA agrees with the Hawaii Association of Counties and urges the State to allow the counties to enact more restrictions over the sale of tobacco products, including electronic smoking devices, in order to protect public health, safety, and welfare.

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.



HB380 HD1 Return Tobacco Management to Counties

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair

Rep. Mahina Poepoe, Vice Chair

Thursday, Feb 13, 2025: 2:00: Room 325

Hawaii Substance Abuse Coalition Supports HB380 HD1:

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 for substance use disorder and co-occurring mental health disorder treatment and prevention agencies as well as recovery-oriented services and related vocational transitional housing.

HSAC is in full support to regulate e-cigarettes to children because of the huge impact that vaping has with children.

- Counties have demonstrated their capability to manage tobacco-related policies.
- Giving the counties the freedom to manage their own regulations at the point of sale for tobacco products helps them to better respond to their constituents.
- The counties support this measure as it was part of the Hawai'i Association of Counties legislative package.
- This measure does not affect tax.

Giving counties the ability to quickly address the unique health needs of their communities will result in better overall health.

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



February 10, 2025

To: COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

Re: SUPPORT OF HB380 HD1 RELATING TO REGULATION OF TOBACCO PRODUCTS

Hrg: Thursday, February 13, 2025 at 2:00 p.m.

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

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.

HPHA supports HB380 HD1. E-cigarettes play a major role in the increased rates of youth nicotine addiction, which was in decline. The counties are uniquely positioned to quickly address the health needs of their communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws and youth access restrictions at the state level to more easily maintain control over tobacco regulation. Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

I urge you to pass this bill to keep our communities safe from the harms of the tobacco industry.

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

Respectfully submitted,

A handwritten signature in black ink that reads "Holly Kessler". The signature is written in a cursive, flowing style.

Holly Kessler
Executive Director



fightcancer.org

American Cancer Society
Cancer Action Network
2370 Nu'uuanu Avenue
Honolulu, HI 96817
808.460.6109

House Committee on Judiciary & Hawaiian Affairs
Rep. David Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

Hearing Date: Thursday, February 13, 2025

ACS CAN SUPPORTS HB 380 HD1 – RELATING TO THE REGULATION OF TOBACCO PRODUCTS.

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

Thank you for the opportunity to SUPPORT HB 380 HD1: RELATING TO THE REGULATION OF TOBACCO PRODUCTS.

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.

Lung cancer remains the leading cause of cancer deaths in Hawaii and 25.3% of all cancer deaths in Hawaii are smoking-related.ⁱ An estimated 1,400 adults in Hawaii die from smoking every year.ⁱⁱ Each year in Hawaii, 1,800 keiki try cigarettes for the first time.ⁱⁱⁱ Tobacco use remains the leading preventable cause of death nationwide. Communities suffer when counties are unable to enact stronger tobacco control laws. Tobacco preemption is a tobacco industry tactic, enacted in 2018. Hawaii has continued to see the increase of youth tobacco use including the use of electronic smoking devices and e-cigarettes.

Counties in Hawaii have been successful in passing local tobacco control policies such as smoke-free air laws and Tobacco 21 before the Hawaii State Legislature followed shortly afterwards. Giving counties the ability to quickly address the unique health needs of their communities will result in better overall health. Furthermore, counties currently support this measure as this bill is a part of the Hawaii State Association of Counties legislative package.

Local governments are uniquely positioned to meet the needs of the people in their communities. ACS CAN supports their ability to pass laws that are proven to promote good health, well-being, and

equality. Returning local control is needed to pass innovative and proactive public health policies. ACS CAN works at the local, state, and federal levels; thus, it supports each level of government's ability to implement policies to help communities and families be healthy, safe and secure. The right of local governments to pass public health policies stronger than state laws must be restored to continue future advocacy efforts to reduce suffering and death from cancer.

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

ⁱ American Cancer Society [state-specific smoking-related cancer deaths fact sheet final 4.04.24.pdf](#)

ⁱⁱ Campaign for Tobacco-Free Kids. The Toll of Tobacco in Hawaii. Updated January 20, 2023. <https://www.tobaccofreekids.org/problem/toll-us/hawaii>

ⁱⁱⁱ Campaign for Tobacco-Free Kids. The Toll of Tobacco in Hawaii. Updated January 20, 2023. <https://www.tobaccofreekids.org/problem/tll-us/hawaii>



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
FEBRUARY 13, 2025
HB 380 HD1 RELATING TO THE REGULATION OF TOBACCO PRODUCTS**

Aloha, Chair Tarnas and members of the House Committee on Judiciary & Hawaiian Affairs. I am Tina Yamaki, President of the Retail Merchants of Hawaii.

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 OPPOSE HB 380 Relating to the Regulation of Tobacco Products. This measure repeals existing statutory language that: declares that the sale of cigarettes, tobacco products, and electronic devices are a statewide concern; and preempts all local ordinances and regulations that regulate the sale of cigarettes, tobacco products, and electronic devices; and is effective 7/1/3000.

We want to point out that **Hawaii's tobacco sales brought in over \$82 million in tax revenue to the state in 2024 alone. That is down 1 million from 2023 indicating that people are quitting smoking and vaping or not doing it as often. A couple of years ago, the legislature passed a tax on vape products that brought in over \$6.7 millions of dollars** (<https://files.hawaii.gov/tax/stats/monthly/2024cy-tob.pdf>). Many of these tax dollars fund state programs. While the various counties have passed ordinances to ban flavored tobacco and vape products in hopes that this type of measure will pass. Businesses are concerned about if there is ban on flavored tobacco and vape products: **How will small locally owned vape/smoking businesses survive? What state funded programs will be downsized or cut? How is the state going to make up for the shortfall and how much will it cost businesses?**

Flavored tobacco and e-liquids are enjoyed by many adults as well as menthol cigarettes, cigars, chewing and pipe tobacco. Most e-liquids available worldwide are "flavored." Many e-liquids do not contain tobacco, do NOT have a "natural tobacco" taste, or any taste for that matter, without the addition of flavorings.

If the states repeals existing language to ban tobacco and vape products it would have a detrimental effect on many retailers, especially those that are small locally owned. **They would have to shut down their store(s) and their employees, who many counts on their paychecks to survive, would be out of a job.** People will still find ways to obtain their favorite flavored tobacco or vape product. Bans would compel people to purchase these goods online or on the illegal black market or on military bases or try to make it themselves. Those who try to DIY a liquid may be subjected to harm if not created correctly.

If this measure is to deter youth from obtaining smoking or vape products, then the focus should be on cracking down on those who are illegally and intentionally letting minors obtain these products. Hawaii currently has a law in place that states that it is unlawful for a person under the age of 21 years to purchase electronic vaping devices, e-liquids, and tobacco products. However, adults that are twenty-one and older are currently able to purchase these items and enjoy them like menthol cigarettes or an electronic vaping device with their favorite flavored e-liquid.

We also want to make it clear that retailers are NOT the ones selling the vaping devices to those who are under 21 years of age. 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 purchases vape devices or tobacco products for the minors and gives it to the minor away from the retail store. **Many of minors are obtaining their cigarettes and vaping devices from their parents or older friends or purchasing them on the illegal black market.** We have seen a significant spike in theft and tobacco and vape products are a favorite to be stolen. Those selling the stolen goods do not card to see how old someone is nor is any tax collected on the sale.

We wonder why the focus is NOT on stricter laws and consequences aimed at the minors who are vaping or those who purchase the products for the minors to make them accountable for their actions? Why is the Department of Education not cracking down on those who vape on campus if so, many students are doing this? Why are adults who can legally purchase these items be denied if the aim is at minors?

We urge you to hold this measure. Mahalo again for this opportunity to testify.

HB-380-HD-1

Submitted on: 2/11/2025 7:54:13 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tommy Noyes	The Friends of Kamalani & Lydgate Park	Support	Written Testimony Only

Comments:

HB380 HD1 Strong Support

Date/Time: Thursday, February 13, 2025 at 2:00 PM

Committee: House Committee on Judiciary & Hawaiian Affairs

Aloha House Committee on Judiciary & Hawaiian Affairs Members,

Kindly accept this STRONG SUPPORT for HB 380 HD1.

Since 1994 The Friends of Kamalani & Lydgate Park -- a community service organization -- has worked collaboratively with the County of Kaua'i to encourage physical activity and reduce smoking & tobacco use, particularly among youth.

The Youth Risk Behavior Surveillance System (YRBSS), conducted by the Centers for Disease Control and Prevention (CDC), is a set of surveys that track behaviors that can lead to poor health in students grades 9 through 12. Actionable data recorded in the YRBSS clearly shows that electronic smoking devices play a major role in the increased rates of youth nicotine addiction, which prior to the onslaught of vaping devices marketed to our youth was in decline.

Every day that the pernicious marketing of flavored vaping products to our children is unchecked leads to fresh additions in our high, middle, and elementary schools.

Historically, the counties have led the way on tobacco abatement efforts, and now are uniquely positioned to quickly address the health needs of our communities. An example of counties taking the lead with great success was changing the age to purchase tobacco products to 21 years old. Additionally, clean air laws and smoke-free cars while keiki are present are further examples.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws, youth access restrictions, regulations on advertisements and promotions, and retailer licensing restrictions at the state level to more easily maintain control over tobacco regulation.

Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

Please move this bill forward with the aim of reauthorizing the counties to regulate the sale of tobacco products. That will open up possibilities for innovative policies at the local level and establish new and effective ways to address the public health challenges posed by tobacco use.

Mahalo,

Tommy A. Noyes
General Coordinator
The Friends of Kamalani and Lydgate Park

HB-380-HD-1

Submitted on: 2/11/2025 7:55:32 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Russell	Lokahi Treatment Centers	Support	Written Testimony Only

Comments:

Vaping continues to hinder the ability of our youth and be the new common "Gateway" to drugs and alcohol. Our immediate families are suffering all over our community because the vaping industry builds these "Mods" and make flavors so tempting for our youth and children who have no idea of the dangers E-Cigarettes will provide. Please vote for this bill which is not just about the companies gaining financially from our youths weakness, but to bring awareness to all of our community both young and old.

Thank you so much.

Russell Hamilton CSAC, Psy.M

Clinical Supervisor/ Adults and Adolescent Programs at Lokahi Treatment

HB-380-HD-1

Submitted on: 2/11/2025 8:28:35 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacelyn Auna	Mala Hanai Pua LLC	Support	Written Testimony Only

Comments:

Aloha,

My name is Jacelyn Auna, the owner of Mala Hanai Pua LLC, and I am from Hilo, Hawai'i.

I am in support of HB380 HD1, to return the regulation of tobacco products to the authority of our counties. Where they can adopt and enforce strict laws or ordinances in regards of the tobacco products.

Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

HB380 can help protect our children and teenagers from the harmful use of tobacco products. Prevention works greater when there is stricter laws preventing tobacco products being sold to the under age population.



1325 G Street, NW, Suite 950 • Washington, D.C. 20005 • 202.464.6200 • taxfoundation.org

Memorandum

Date: February 11, 2025

To: Members of the Hawaii Legislature

From: Adam Hoffer, PhD, Director of Excise Taxation, Tax Foundation

Subject: Comments on HB 380 Regarding the Repeal of State Laws Preempting Local Ordinances and Regulations on Tobacco and Nicotine Products

Numerous measures have been submitted to the state legislature this session regarding the regulation and taxation of tobacco and nicotine products. I offer the following comments regarding the repeal preemption on the regulation of tobacco products and the revenue effects of select policies that may be implemented if local ordinances restrict the sale of tobacco products. My comments today are in the interest of providing additional information and should not be construed as “support for” or “opposition of” any bill or measure.

A fundamental principle of good tax and regulatory policy is simplicity. State preemption promotes consistency and simplicity by setting one state-wide policy that covers all consumers and producers. With multiple bills seeking to eliminate state preemption in tobacco policy, the implication is that local governments want to enact their own local policies that may differ from those implemented by the state legislature. Specifically, removing state laws preempting local regulations and policies on tobacco and nicotine would permit those local governments to impose their own flavor bans and other more restrictive policies on tobacco and nicotine sales.

We estimate the state revenue effects of flavor bans at the county level below. The largest effects on the state budget would occur from a menthol ban in Honolulu, a \$23.6 million decline in state revenue the first year following the ban.

Estimated State Revenue Loss from Select County-Wide Flavor Bans

<u>County</u>	<u>One-Year Revenue Loss from a Flavor Ban</u>
Hawaii	\$6.0 million
Honolulu	\$23.6 million
Kauai	\$2.3 million
Maui	\$4.1 million

Piecemeal policies like local flavor bans are also much more likely to induce illicit activity and smuggling, as consumers would no longer need to smuggle from the mainland or overseas. They would simply need to travel to the nearest shop in the state that operates outside the municipal borders of the flavor ban to purchase their products legally.

Striking the right balance is the difficult task with which legislatures are charged. As you consider these matters, we are happy to be a resource, and would be delighted to provide you with more of the research on this topic. Thank you for your time.



Chair - Representative David Tarnas
Vice Chair - Representative Mahina Poepoe
Members of the Committee on Judiciary & Hawaiian Affairs

On behalf of the Coalition for a Tobacco-Free Hawai'i's (CTFH) Youth Council, thank you for allowing us to submit testimony in **strong support of HB380_HD1**.

The CTFH Youth Council is a nationally recognized group of youth leaders fighting to envision and create a Hawai'i centered on uplifting community public health beyond the reaches of Big Tobacco. Our council comprises middle school, high school, and college students, with representation from across Hawai'i's counties. We have been working to end the sale of flavored tobacco products for the past seven years.

We have worked hard over the past year and the City and County of Honolulu, the County of Hawai'i, and most recently the County of Maui have passed bills to end flavored tobacco sales in their communities. This sends a clear message to the State to protect our keiki and restore the counties' authority to regulate tobacco sales. These county councils stood by the youth and community advocates in passing these bills, and we ask that you do the same by passing HB380_HD1.

Over 200 municipalities across the country have passed laws ending the sale of flavored tobacco products, our counties should be able to do the same. Recently the Hawaii Attorney General's office sent [a letter warning 800 tobacco retailers](#) in Hawaii to stop selling illegal flavored products which have flooded the market here in Hawaii and across the country. Hundreds of products still fill their shelves, The FDA has only authorized 34 products, and only one is flavored. We can't depend on the FDA to further crack down on these retailers, we need the counties to have the authority to do so by passing **HB380_HD1!**

Mahalo,
Coalition for a Tobacco-Free Hawai'i Youth Council

JOSH GREEN, M.D.
GOVERNOR



ANNE E. LOPEZ
ATTORNEY GENERAL

MATT DVONCH
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
Ke 'Oihana O Ka Lolo Kuhina
CRIMINAL JUSTICE DIVISION – TOBACCO ENFORCEMENT UNIT
425 QUEEN STREET
HONOLULU, HAWAII 96813
Ph. (808) 586-1203
Fax. (808) 586-1224
EMAIL: atg.tobacco@hawaii.gov

January 16, 2025

Dear Tobacco Retailer:

The State of Hawaii's Department of the Attorney General ("the Department") is aware that retailers, distributors, and others may be distributing and selling unauthorized and illegal tobacco products to Hawaii consumers. This includes electronic smoking devices (ESDs, also commonly referred to as e-cigarettes) and oral nicotine pouch products. Nicotine is an addictive substance, and unauthorized products may contain additional dangerous ingredients not listed on the packaging, putting Hawaii consumers at risk.

For a tobacco product or a product containing nicotine to be sold legally in Hawaii or anywhere in the United States, it must be authorized by the Food and Drug Administration ("FDA"). Without this authorization, we cannot verify what ingredients these products contain and whether they are safe. To date, only 34 e-cigarettes¹ and 4 oral nicotine products (none of which are oral nicotine pouches)² have been authorized by the FDA to be sold in the United States.

Please review the enclosed list of e-cigarettes that have been authorized by the FDA as of this letter's date, to ensure that you are not displaying for sale, selling, shipping, or assisting in the sale or distribution of illegal e-cigarettes. Any e-cigarettes not on the enclosed list have not been authorized by the FDA and are not legal to sell in Hawaii.

You may also access an up-to-date, searchable FDA database for authorized products at the following website: <https://www.accessdata.fda.gov/scripts/searchtobacco/>. The Department asks that you remove from your shelves any products not authorized for

¹ A list of the e-cigarettes authorized by the FDA is attached

² The authorized oral nicotine products are Verve Discs Blue Mint, Verve Discs Green Mint, Verve Chews Blue Mint, and Verve Chews Green Mint

Page 2
January 16, 2025

sale and return them to their distributor or manufacturer, keeping in mind that these products may be considered hazardous materials.

As a reminder, electronic smoking devices (ESDs) and e-liquids are now included in the Cigarette Tax and Tobacco Tax Law, found in chapter 245 of the Hawaii Revised Statutes (HRS). Wholesalers and dealers of ESDs and e-liquids in the State of Hawaii are required to have a tobacco license issued by Hawaii's Department of Taxation (DOTAX). DOTAX may suspend, revoke, or decline to renew any tobacco license for good cause, which may include instances where a licensee has failed to comply with federal law pertaining to the sale, importation, acquisition, possession, distribution, or transportation of tobacco products. (See HRS §245-2). Recent changes in the law also include new criminal offenses relating to the shipment of tobacco products, including ESDs and e-liquids, to a person or entity in Hawaii that does not hold a tobacco license issued by DOTAX.

The Department appreciates your business' partnership in keeping illegal products off shelves, especially unauthorized, flavored e-cigarettes that could fall into the hands of children. We urge you to take all steps to ensure that you are complying with all existing state laws, which the Department enforces, and federal laws. The Department recognizes that online sales of these products are also an issue and regularly pursues actions to address such violations.

If you have any questions regarding this matter or if you have any information regarding persons or businesses that may be selling these unauthorized and illegal e-cigarettes and vaping products, please do not hesitate to contact us at atg.tobacco@hawaii.gov or by calling the Department's Tobacco Enforcement Unit at 808-586-1203.

We appreciate your help in putting an end to the distribution and sale of these unauthorized and illegal products in Hawaii.

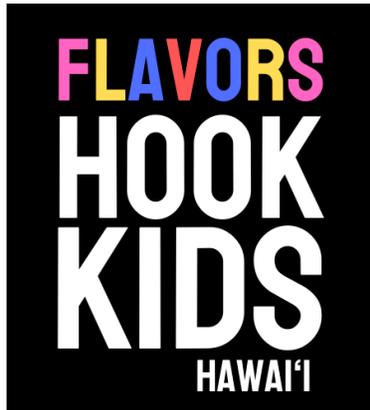
Sincerely,



Richard Stacey
Deputy Attorney General

Enclosure

PARTIAL LIST OF SUPPORTERS



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

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

Anne Takata, DC

Patty Kahanamoku-Teruya

Chien-Wen Tseng, MD

John A Hau'oli Tomoso

Jennifer Valera

Cecilia Villafuerte

Linda Weiner, MD
Andre Weston, MDiv
Matthew Wong

YOUTH AND COMMUNITY ORGANIZATIONS

After-School All-Stars Hawaii
American Youth Soccer Organization (AYSO)
Association of Hawaiian Civic Clubs
Bad Boys Football Club
Big Island Interscholastic Federation (BIIF)
Hale 'Ōpio Kaua'i Inc.
Hawaii Children's Action Network
Hawaii Interscholastic Athletic Directors Association
Hawaii State Commission on Fatherhood
Hawaii State Teachers Association (HSTA)
Hawaii State Youth Commission
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

BUSINESSES

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

OAHU 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
Makiki-Tantalua Neighborhood Board 10
Ala Moana/Kakaako Neighborhood Board 11

Nuuanu/Punchbowl Neighborhood Board 12
Downtown-Chinatown Neighborhood Board 13
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
North Shore Neighborhood Board 27
Koolauloa Neighborhood Board 28
Kahaluu Neighborhood Board 29
Kaneohe Neighborhood Board 30
Kailua Neighborhood Board 31
Waimanalo Neighborhood Board 32
Mililani Mauka- Launani Valley Neighborhood Board 35
Nanakuli-Mailii Neighborhood Board 36

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
Saint Louis School



HB-380-HD-1

Submitted on: 2/11/2025 10:08:18 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Char	BMA Mart	Oppose	Written Testimony Only

Comments:

Chairperson, Members of the Committee,

My name is Brian Char, and I am the owner of BMA MART, a small business serving our local community. I am submitting this testimony in strong opposition to HB 380 due to its unintended consequences on small businesses and the challenges it creates in navigating and enforcing county-level tobacco regulations.

While I understand the intent of HB 380 to regulate tobacco sales, I urge the committee to consider the significant burden it places on small business owners like myself. Currently, the patchwork of county-level laws creates an inconsistent and confusing regulatory environment. Each county has different rules, enforcement mechanisms, and penalties, making it increasingly difficult for small businesses to remain compliant. Unlike large corporations with legal teams, local businesses like mine operate with limited resources and cannot easily adapt to varying and often conflicting regulations across multiple jurisdictions.

Furthermore, the enforcement of county tobacco laws is not uniform, leading to unfair competition where certain businesses may be more heavily scrutinized than others. Small retailers bear the brunt of these enforcement challenges, often facing fines or penalties for minor infractions due to unclear or rapidly changing local ordinances. Instead of creating a fair and balanced approach, HB 380 risks exacerbating these issues, making it harder for responsible business owners to continue operating.

Tobacco regulations should be clear, consistent, and manageable, not a constantly shifting landscape that places undue stress on small businesses. I respectfully urge lawmakers to reconsider HB 380 and its impact on local businesses that are already struggling to comply with ever-changing county laws. A more uniform, statewide approach would provide the clarity and

stability needed for responsible business operations while still ensuring appropriate regulation of tobacco sales.

Thank you for your time and consideration.

Brian Char

Owner, BMA MART

HB-380-HD-1

Submitted on: 2/11/2025 11:48:42 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle Jordan	Discount Smoke Shop Hawaii	Oppose	Remotely Via Zoom

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

My name is Michelle Jordan, and I am a representative of Discount Smoke Shop Hawai'i a local business in Honolulu committed to retailing responsibly, including adherence to all state regulations regarding the sale of tobacco products. I am submitting testimony in strong opposition to HB 380, which seeks to repeal the states preemption of county-level regulation of tobacco sales.

While I understand the importance of addressing public health concerns, HB 380 would create significant unintended consequences that would negatively impact small businesses like ours, create unnecessary regulatory confusion, and place additional tax burdens on the state.

Unintended Consequences of HB 380

1. Patchwork Regulations Across Counties

Repealing preemption would allow each county to establish its own rules governing tobacco sales, leading to a fragmented regulatory environment. Businesses across these county's which serve customers across multiple counties, would face the difficult and costly challenge of complying with varying laws.

2. Increased Burden on Small Businesses

Local businesses already face numerous challenges, including rising rents, labor costs, and supply chain disruptions. Adding another layer of county-level regulations would disproportionately impact small businesses, as we lack the resources of large corporations to navigate a complicated regulatory framework. This could force some small retailers to close their doors, reducing local jobs and economic activity.

3. Encouragement of Illicit Market Activity

Inconsistent regulations between counties may inadvertently drive consumers to seek tobacco products from unregulated or illicit sources, undermining the intent of public health policies. This would not only harm responsible retailers but also result in a loss of tax revenue for the state and weaken enforcement efforts aimed at curbing underage sales.

Tax Burden on the State

The repeal of preemption would necessitate the establishment of county-level enforcement mechanisms to regulate and monitor compliance with local tobacco laws. This would require significant public funding to hire staff, develop policies, and implement enforcement strategies, placing additional financial pressure on county governments and, ultimately, on taxpayers.

Additionally, the economic impact of reduced business activity and the potential rise of illicit market sales would further erode tax revenue generated by lawful tobacco sales. At a time when the state is working to recover economically, such fiscal losses would be highly detrimental.

A Need for Statewide Consistency

As a responsible retailer, I support sensible, consistent statewide regulations that ensure public health while allowing businesses to operate efficiently. The existing preemption system provides a uniform regulatory framework that is easier for businesses to follow and for the state to enforce. Repealing it would create confusion, economic hardship, and enforcement challenges without achieving meaningful public health improvements.

Conclusion

For the reasons outlined above, I strongly urge this committee to oppose HB 380. Let us focus instead on strengthening statewide efforts to address public health concerns while supporting Hawai'i small business community and protecting the state economic interests.

Lastly, do not limit the adult tobacco consumers choice to purchase. Do not take away the right to partake in a nationally legal product. Adult Tobacco users have the right to consume market authorized products by the FDA. If public health and curbing underage use is the issue, stricter fines and penalties should be imposed and people that provide it to underage users should be punished by strict law.

Thank you for the opportunity to submit testimony.

Respectfully submitted,

Michelle Jordan

Representative of a local small business.



TO: The Honorable David Tarnas, Chair
The Honorable Mahina Poepoe, Vice Chair
House Committee on Judiciary and Hawaiian Affairs

FROM: Philip Bossert, Executive Director
Hawaii Association of Independent Schools

RE: **HB 380 HD1 – RELATING TO THE REGULATION OF TOBACCO PRODUCTS
In Strong Support**

DATE: Thursday, February 13, 2025
2:00 p.m.; Conference room 325 & Videoconference

Aloha Chair Tarnas, Vice Chair Poepoe and Members of the Committee:

My name is Philip Bossert, and I am the Executive Director of the Hawaii Association of Independent Schools.

The Hawaii Association of Independent Schools (HAIS) strongly supports HB 380 HD1.

HAIS is a membership organization that currently represents as its members 100 of Hawaii's independent K-12 schools; and, through its subsidiary, the Hawaii Council of Private Schools (HCPS), licenses all 112 private and parochial K-12 schools in the State.

Approximately 33,000 students attend Hawaii's private and parochial schools and all of them – especially those students of middle school and high school age – are endangered by the current vaping epidemic plaguing Hawaii. Vaping not only endangers the health of students in the present, but likely also for the rest of their lives.

HAIS and its member schools support HB 380 HD1 because, in creating effective regulations for the sale of e-cigarettes and flavored tobacco products to persons under the age of 21, it will make vaping both less attractive and more difficult to pursue by elementary and secondary school students and help to protect the current and future generations of Hawaii's citizens.

Thank you for the opportunity to submit testimony.



ABC Stores
766 Pohukaina Street
Honolulu, Hawaii 96813-5391
www.abcstores.com

Telephone: (808) 591-2550
Fax: (808) 591-2039
E-mail: mail@abcstores.com

January 28, 2025

Dear Chair, Vice Chair, and members of the Health Committee,

I am writing to you on behalf of ABC Stores. We operate in Hawaii, Las Vegas, Guam, and Saipan and employ over 1,900 residents. I am deeply concerned about the proposed legislation to remove flavored products from the market.

While the intention behind this legislation is to reduce demand for these products, it is important to recognize that it will not eliminate the demand. Instead, it will push sales to other streams of distribution where flavored products remain available, including the black market and illegal online sales. This shift will not only undermine the goal of the legislation but also create significant challenges for law enforcement.

Removing this segment of our business will result in major tax shortfalls, forcing the government to seek alternative sources of revenue. Hawaii residents have recently received tax relief due to extreme economic pressures. Increasing taxes in other areas to compensate for the loss of revenue from flavored products would be highly problematic and counterproductive.

The loss of revenue will also make it difficult, if not impossible, for businesses like ABC Stores to maintain current staffing levels. This will lead to job losses and economic instability for many families in our community.

Furthermore, the state will face increased burdens on enforcement efforts if these regulations are imposed. Repealing preemption would cost the state millions of dollars and create undue burdens on retailers across Hawaii.

I urge you to consider the unintended consequences of passing this bill. It will have a detrimental impact on local businesses, the state's economy, and the livelihoods of many residents. I hope you will take these concerns into account and reconsider the proposed legislation.

Thank you for your time and attention to this matter.

Mahalo,

A handwritten signature in black ink, appearing to read "J. Mageo".

John Mark Mageo
Employee Relations and Government Affairs Manager
(808) 597-3312
jmageo@abcstores.com

HB-380-HD-1

Submitted on: 2/11/2025 12:26:59 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Landon Yamamoto	Bionic Petroleum	Oppose	Written Testimony Only

Comments:

Chair and members of the committee, my name is Landon Yamamoto and I strongly oppose H.B. 380, which seeks to repeal preemption laws and allow local governments to create their own regulations. While the idea of local control may sound appealing, this bill would create a confusing patchwork of laws that make it difficult for businesses and individuals to comply. Companies operating in multiple cities or counties would face different rules, increasing costs and administrative burdens. Instead of promoting economic growth, this bill would discourage businesses from expanding and make it harder for job creators to plan for the future.

The unintended consequences of this legislation would be significant. Without statewide consistency, local governments could pass conflicting regulations on everything from employment laws to product restrictions, leading to uncertainty and frustration for businesses and consumers alike. Residents living near city or county borders could be subject to drastically different rules just a few miles apart, creating confusion and unfair enforcement. Rather than fostering stability, this bill risks creating unnecessary chaos and economic harm. For these reasons, I urge you to vote NO on H.B. 380. Thank you for your time and consideration.

HB-380-HD-1

Submitted on: 2/11/2025 12:52:27 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hee Nam Hwang	No. 1 Store	Oppose	Remotely Via Zoom

Comments:

Hello Committee,

I oppose this bill. As an independent business owner, this would significantly impact my revenue and immediately threaten over \$40 million dollars in excise tax for the state with the prohibition of menthol and vapor sales.

The local Hawai'i resident is under much financial pressure already losing this amount of taxes will set the state up to pull more taxes from other areas negatively impacting residents yet again. After just receiving a tax break by governor Green that makes no sense....

Thank you for your consideration,

Hee Nam Hwang

HB-380-HD-1

Submitted on: 2/11/2025 12:55:42 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Grace Sakanashi	China Town Liquor	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to HB380

Aloha Chair and Members of the Committee,

As a local business owner in Hawai‘i, I strongly oppose HB380 due to its devastating impact on small businesses, retail sales, and the local economy. This bill will drive customers away from licensed retailers and into the hands of unregulated sellers, significantly reducing legitimate sales and tax revenue. Small businesses like mine have already faced mounting challenges, and further restrictions will only push more local shops toward closure, leading to widespread economic hardship. Instead of supporting responsible businesses that follow the law, HB380 will force consumers to seek alternative, unregulated sources.

One of the most concerning consequences of HB380 is the inevitable rise in illegal sales and smuggling. When legal avenues for purchasing these products become too restrictive, consumers will turn to illicit markets that lack oversight and regulation. This not only puts public health at risk but also increases the burden on law enforcement to combat smuggling operations. We have already seen a rise in unregulated products flooding the market, and this bill will only accelerate that trend, making it more difficult to ensure the safety of the products being consumed.

Furthermore, HB380 threatens local jobs and livelihoods. Many hardworking employees in the retail sector rely on businesses like mine to support their families. If this bill passes, business closures and reduced sales will lead to layoffs, harming both workers and the broader economy. Hawai‘i cannot afford to lose more jobs, especially when there are better ways to regulate the industry without eliminating legitimate businesses. I urge you to oppose HB380 and consider solutions that balance public health, business sustainability, and economic stability. Mahalo for your time and consideration.

Thank you for your time,

Grace Sakanashi

Owner, Chinatown Liquor

HB-380-HD-1

Submitted on: 2/11/2025 1:14:13 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Young Park	Wawa Market	Oppose	Written Testimony Only

Comments:

My name is Patrick,

I am a small business owner of two convenience stores in Honolulu.

I oppose HB 380.

I employ 20 employees.

Passing the bill would be detrimental to small businesses like myself that are extremely challenged as it is with rising cost and overhead of operating a business in Hawai'i. It is a patch work legislation.

I understand the importance of addressing public health concerns, HB 380 would create significant unintended consequences that would negatively impact small businesses, create unnecessary regulatory confusion, and place additional tax burdens on the state.

I operate responsibly within the guidelines of the law and adding an additional regulatory regime makes operating a business more complex and confusing for retailers like myself. HB380 would jeopardize retailers like me on being able to employ as many local employees with the detrimental impact to the categories revenues local patchwork laws impact.

Local Tobacco Laws and Regulations Risk State Tax Revenues, HB 380 would put the state at risk with an enormous tax burden due to county's removing segments of the tobacco category that today, provide huge tax funding to the state for things like the cancer research center that is already under pressure. Where will that money come from?

This bill would also create additional funding issues for the state, if regulations are imposed this will increase the state's burden on enforcement efforts that are stretched thin as is.

Thank you for your time,

Young "Patrick" Park

HB-380-HD-1

Submitted on: 2/11/2025 1:23:27 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ra Long	R&K Liquor	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to HB380

Aloha Chair and Members of the Committee,

As a local business owner in Hawai'i, I strongly oppose HB380 due to its negative impact on small businesses and the local economy. This bill passed with trigger bills in place at the county level would drive away business from licensed retailers, leading to a significant loss in retail sales and tax revenue for the state. Many small businesses like mine are already struggling to stay afloat under the current economic conditions, and additional restrictions will only push more legal businesses toward closure. Instead of supporting responsible retailers, this bill will force customers to seek alternative, unregulated sources, further harming legitimate businesses that comply with state regulations.

Repealing preemption for tobacco laws could create a patchwork of inconsistent regulations, making compliance difficult for businesses and confusing for consumers. Uniform statewide policies ensure a balanced approach to public health while preventing economic disadvantages for retailers in different jurisdictions.

One of the most concerning consequences of HB380 is the rise in illegal sales and smuggling. When consumers can no longer access legal and regulated products, they will turn to illicit markets that operate without oversight or safety measures. This not only puts public health at risk but also fuels an underground market that is difficult to control. We have already seen the consequences of prohibition-like policies in other areas, where smuggling operations grow, and unsafe products flood the streets. This bill will not solve the problem—it will only make it worse by pushing sales into the hands of unlicensed and unregulated sellers.

Rather than imposing further restrictions that harm businesses and fuel illegal markets, we should focus on education and prevention efforts to discourage smoking and vaping. Investing in public awareness campaigns and youth education programs will be far more effective in reducing usage than banning or over-regulating products. By providing people with the knowledge and resources to make informed decisions, we can address health concerns without destroying local businesses and creating unintended consequences. For these reasons, I respectfully urge you to oppose HB380. Mahalo for your time and consideration.

Thank you for your time,
Ra Long
Owner, R&K Grocery & Liquor

HB-380-HD-1

Submitted on: 2/11/2025 4:20:09 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shani Carvalho	Hamakua Health Center, Inc. dba Hamakua-Kohala Health	Support	Remotely Via Zoom

Comments:

We are in strong support of HB380 HD1 that would restore counties authority to regulate tobacco products. For many years, our counties have been leading the way to protect our youth from Big Tobacco companies. This to include raising the age from 18 to 21, smoke free cars with kids and smoke free beaches, parkts and restaurants. As we continue to see the rise of youth who use e-cigarettes/vape, we want to continue to be able to pass county law that will allow us to further protect our keiki, their developing brains, their kino and overall save them from a possible life of addiction.

HB-380-HD-1

Submitted on: 2/11/2025 4:21:44 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Travis Yoshinaga	Marukin Market	Oppose	Remotely Via Zoom

Comments:

Hello Members of the Commitee,

- I oppose this bill because it will cause unintended consequences and create more hardship on local businesses and employees and negatively impact public health via the existence and guaranteed growth of the black market.
- I am a responsible business owner and in the 13+ years I have run my business I have never sold to under age people and I am regularly inspected by the state with secret shoppers or under age sting operations.
- Giving county's regulatory power would disadvantage responsible retailers like myself that comply and abide by current day state regulations.
- If the state imposes these regulations, this will increase the state's/countys burden on enforcement efforts.
- Repealing tobacco preemption will lead to a fragmented regulatory landscape, creating compliance challenges for businesses and confusion for consumers. Maintaining uniform statewide policies ensures a consistent public health approach while preventing economic disparities among retailers.
- Data points have likely been shared that residents of their county's feel that their county's should have the ability to regulate tobacco but they were not asked if they were a proponent of abolishing tobacco? Which is what 3 of the 4 county's have tried doing with trigger bills that would eliminate all vapor and menthol product. Products that are even FDA authorized via the highly regulated PMTA process. This would create even more unintended consequences and open the highway to black markets and be a set back for the public health advancements for adult consumers looking for an FDA authorized alternative tobacco product.

Thank you,

Marukin Market

Travis Yoshinaga

HB-380-HD-1

Submitted on: 2/11/2025 6:22:10 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerald Morita	Cigarettes & Things	Oppose	Written Testimony Only

Comments:

Dear Chair and Members of the Committee,

My name is Gerald Morita, and I have been a business owner in Hawai'i for the past 14 years. I strongly oppose HB 380 due to its unintended consequences, which will negatively impact public health and community safety. Patchwork legislation does not work and with county's creating legislation that would harm county and state economies with prohibition type actions. While I support efforts to reduce youth access to tobacco and vapor products, this bill would enact county tobacco bans that goes too far; by banning FDA-authorized menthol and flavored vapor products that have been proven to help adult smokers transition away from combustible cigarettes. By removing these harm reduction alternatives from the legal market, the county's risks backtracking on public health progress and forcing adult consumers back to traditional tobacco products, which are significantly more harmful, impacting the public health of the state.

Additionally, prohibiting these products will not eliminate demand—it will merely shift sales to unregulated sources, creating a thriving black market where there are no age restrictions, safety standards, or oversight. We have seen similar outcomes in other jurisdictions where flavor bans have been enacted, leading to increased youth access rather than reducing it. As a business owner, I have always prioritized compliance with age verification laws, but this bill undermines responsible retailers while empowering illicit sellers who operate without consequence. This approach ultimately makes it harder to protect minors and increases risks for consumers who may unknowingly purchase unsafe, unregulated products.

I urge lawmakers to consider more effective, balanced solutions that target youth prevention without harming adult consumers and responsible businesses.

Rather than preemption repeal, that is banning menthol and flavored vapor products outright, the state should focus on enforcing existing regulations, strengthening penalties for illegal sales, and promoting public education on the risks of youth vaping. HB 380 will create more problems than it solves, and I respectfully ask the committee to vote against it. Thank you for your time and consideration.

Sincerely,

Gerald Morita

Cigarettes and Things



Date: February 11, 2025

To: Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

From: Liza Ryan Gill, Campaign Manager, Campaign for Tobacco-Free Kids HI

Re: **SUPPORT for HB380 HD1, Relating to the Regulation of Tobacco Products**

Hrg: February 13, 2025 at 2pm

Dear Chair Tarnas, Vice Chair Poepoe and Members of the Committee:

The Campaign for Tobacco-Free Kids & the Tobacco-Free Kids Action Fund **strongly support HB380 HD1** to end the state's prohibition on local governments in Hawai'i from enacting laws to prevent youth tobacco use. This harmful language preempting local laws has been in state statute since 2018 (HRS§ 328j-11.5), and it's long-past time to overcome the tobacco industry's opposition to its removal.

HB380 HD1 would protect keiki from tobacco addiction, save lives and advance health equity by allowing Hawai'i communities to enact their own targeted tobacco control solutions. The City and County of Honolulu, the County of Hawai'i, and the County Maui have already taken these steps in the last year – passing comprehensive legislation on behalf of their residents. Repealing preemption would allow the laws passed in these counties to go into effect and make state law the floor for tobacco control regulations, rather than retain provisions that establish state law as the ceiling.

Preemption has long been a favored tobacco industry tactic to block effective local action to reduce tobacco use, which is the No. 1 cause of preventable death in Hawai'i and the United States.

Repealing preemption would allow local communities to pass restrictions on the sale of flavored tobacco products, a favorite tobacco industry strategy not only for targeting kids, but

also Pacific Islanders, Asian Americans, Black Americans, Latinos, the LGBTQ community and other communities.

Research shows that 80% of youth who have ever used tobacco started with a flavored product, and the use of flavored e-cigarettes, in particular, has become a national crisis. In Hawai'i, 13.2% of high school students and 10.3% of middle school students use e-cigarettes, according to the 2023 Hawai'i Youth Risk Behavior Survey.

E-cigarette usage is even higher among high school students in the Hawai'i (15.4%) and Maui (15.1%) counties and among middle schoolers in Hawai'i (13.5%) and Maui (10.7%) counties, demonstrating the need for local communities to pass the tobacco-control ordinances they deem will better address their particular needs.

Nationally, communities have adopted and put into action some of the strongest, innovative, and effective tobacco control policies that have served as a catalyst for transitioning social norms about tobacco use.

We urge Hawai'i policymakers to become leaders in discouraging the state's youth from starting to use tobacco by passing HB380 HD1.

Mahalo for your consideration,

Liza Ryan Gill
Campaign for Tobacco-Free Kids HI



Hawaii Dental Association

Committee: House Judiciary and Hawaiian Affairs Committee

Time/Date: 2:00 pm, February 13, 2025

Location: State Capitol Conference Room 325 and via Videoconference

Re: HB 380 HD1, Relating to the Regulation of Tobacco Products

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the committee,

The Hawaii Dental Association (HDA) is a professional association comprised of approximately 950-member dentists. **We are in support of HB 380 HD1**, relating to the regulation of tobacco products. This bill repeals laws that preempt all local ordinances and regulations that regulate the sale of cigarettes, tobacco products, and electronic devices, thereby allowing counties to take strong action in support of tobacco cessation.

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, jawbone loss and more. Published research studies have found that children are twice as sensitive to tobacco advertising as adults and are more likely to be influenced to smoke by cigarette marketing than by peer pressure. One-third of underage experimentation with smoking is attributable to tobacco company advertising. These are among the reasons 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. February is children's oral health month. This bill is an important step to promote the oral health of children and adults. 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 380 HD1.



Hearing on 2-13-25

Testimony in Strong Opposition to House Bill 380

Dear House JHA Committee,

The Hawaii Smokers Alliance STRONGLY OPPOSES HB 380) relating to the ridiculous idea that State law is subordinate to County Ordinances.

The House Bill 380 is strongly opposed for the following reasons:

1. Existing and future bans and taxes by counties won't fit the state's needs.
2. Counties passing additional regulations place in question the tax revenue that various health organization depend on at the state level. This includes banning of product lines which can no longer be taxed.
3. In addition, the State House promised businesses and constituents just a few years ago that State Control would be maintained. People are counting on that promise being upheld.

Respectfully request that this deeply troubling bill not leave the JHA committee. Thank you for your time.

Sincerely,

Michael Zehner, Co-chair of the Hawaii Smokers Alliance.

808-952-0275. Hawaiiismokersalliance.net

February 12, 2025

TO: David A. Tarnas, Chair
Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

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

RE: **HB 380, HD1** - Relating to the Regulation of Tobacco Products
Hearing Date: February 13, 2025
Time: 2:00 p.m.

The Cigar Association of America, Inc. ("CAA") **opposes HB 380, HD1**. Attached is CAA's testimony in opposition.

Thank you for your consideration of this testimony.



February 12, 2025

House Judiciary & Hawaiian Affairs Committee
Testimony in Opposition to HB380

Chair Tamas, Vice Chair Poepoe, and members of the Judiciary & Hawaiian Affairs Committee,

The Cigar Association of America (CAA) submits the following testimony in opposition to House Bill 380, the bill to repeal statewide preemption regarding the sale and distribution of tobacco products. CAA is the leading national trade organization representing the interests of cigar manufacturers, importers, distributors, and major suppliers in the cigar and pipe tobacco industry, and therefore is, a key stakeholder in any discussion on the regulation of these products, as any changes in laws significantly impact its members and their ability to conduct business.

CAA and its members wish to express serious concerns with HB380 due to the potential negative impact on long-standing, tax-paying, and law-abiding businesses in Hawaii. These businesses have become staples in the community and have made substantial investments based on current regulations. The proposed repeal of preemption is a misguided effort that jeopardizes the stability of a consistent, statewide regulatory framework, essential for ensuring a level playing field for all retailers. HB380's suggested removal of preemption provisions would introduce unnecessary complexities and disparities in the regulatory landscape. Economic success should be determined by fair and uniform regulations applicable across the entire state.

HB380 allows localities to regulate tobacco products independently, creating a scenario where businesses in different jurisdictions face varying economic circumstances. Small businesses should not bear the burden of navigating regulations based on location. The predictability and stability that statewide laws offer is vital for the growth and sustainability of small businesses. If passed, this bill would repeal statewide regulatory preemption provisions, consequently opening the door to a patchwork regulatory scheme that would enable municipality-by-municipality restrictions on Hawaii businesses.

Several localities within the state have already passed ordinances restricting access to certain tobacco products within their jurisdiction to take effect in the event that preemption is repealed. Actions like this lay the groundwork for the government to pick winners and losers among small business owners, by subjecting them to unnecessary restrictions based on political whims. While local control is important, inconsistent policies can have unintended negative consequences.

In addition, the absence of cohesive statewide laws fosters opportunities for illicit markets to thrive. The research data on this is very clear: when adult consumers are restricted from purchasing legal products, they often turn to unregulated markets. Inconsistent regulations create loopholes that encourage illegal activities, ultimately costing the state losses in tax revenue and increased enforcement expenses. This not only harms law-abiding businesses but also reduces tax revenues and places additional strain on law enforcement.



Furthermore, by cultivating a black market, SB380 will make it more difficult to prevent youth access to tobacco. According to the National Youth Tobacco Survey, youth tobacco use is at a historic low. A uniform state policy will continue to support point-of-sale age verification, which keeps licensed retailers accountable to the state.

We strongly urge you to consider the adverse effects that HB380 could impose on small businesses and communities in Hawaii. Preserving statewide preemption ensures a uniform regulatory environment that supports economic stability and simplifies compliance for all retailers.

CAA appreciates the committee's consideration of our position, and we firmly oppose HB380 as a misguided solution in search of a problem.

Respectfully submitted,
Scott Pearce - President, Cigar Association of America, Inc



HIPHI Board

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Garret Sugai

HMSA

JoAnn Tsark, MPH

John A. Burns School of Medicine, Native

Hawaiian Research Office

HIPHI Initiatives

Coalition for a
Tobacco-Free Hawai'i

Community-Based Research &
Evaluation

Community Health
Worker Initiatives

COVID-19 Response

Environmental Health

Hawai'i Drug & Alcohol-Free Coalitions

Hawai'i Farm to School Network

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective/Healthy Aging &
Community Living

Public Health Workforce Development

Date: February 12, 2025

To: Representative David A. Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

RE: Strong Support for HB 380 HD1, Relating to the Regulation of Tobacco Products

Hrg: Thursday, February 13, 2025, at 2:00 PM, Room 325

The Coalition for a Tobacco-Free Hawai'i, a program of Hawai'i Public Health Institute¹ is in **Strong Support of HB 380 HD1**, which would restore the counties' ability to regulate the sale of cigarettes, tobacco products, and electronic smoking devices. If this ability is restored, the counties would be able to enact ordinances that are more stringent than state law.

Counties want to act.

Since 2017, youth use of electronic smoking devices have soared, with flavors being a major driver. The problem is statewide, but over the years has been felt more acutely in our counties with prevalence rates well above the state average. Because of these alarming numbers, three out of four counties have now passed ordinances to end the sale of all flavored tobacco products within their counties. The councils and mayors worked with youth to pass these policies, though they are unable to go into effect without state legislation. By passing HB 380 HD1, the counties will be able to enact these important policies.

Restoring the county's authority will protect local residents and address disparities.

Counties have a long history of being proactive in adopting innovative tobacco control policies based on community concerns and needs. All counties passed the clean indoor air law (smoke-free workplaces) before the state passed legislation, and Hawai'i Island raised the age to 21 to purchase tobacco products first; in fact, they were the fourth jurisdiction in the nation to do so. Currently, state law curtails the counties' power to enact policies relating to the sale of tobacco and electronic smoking devices. This inability to act is of particular concern, as both high school and middle school students continue to utilize e-cigarettes, a product that has grown exponentially in innovation, product sales, nicotine content and youth appeal. Meanwhile, the tobacco industry continues to develop, market, and promote new flavored products like nicotine pouches that are growing in popularity among youth.



States should provide a foundation to build on—basic protections and best practices to reduce the burden of tobacco in the state. However, local governments should have the ability to strengthen those protections based on the needs of their communities.

Currently counties are unable:

- To take legislative and regulatory action through retail and sales strategy to protect their children, youth, and adults.
- To enact public health, evidence-based strategies by restricting local policies and regulations on pricing and access, which are proven to reduce tobacco consumption and initiation, which could include the sale of tobacco in pharmacies and creating flavor restrictions.

Hawai'i voters want regulations.

According to an independent poll conducted by Ward Research on behalf of the Coalition, 86% of registered Hawai'i voters believe counties should have the ability to regulate tobacco products at the point of sale.²

Preemption benefits the tobacco industry.

Restricting local control is a known tobacco industry strategy. The tobacco industry works to “preempt” local governments from passing tobacco prevention and control policies. This action creates a more favorable situation for tobacco companies because it is easier to address one statewide policy versus a policy in each county.

We applaud the Legislature for helping to strengthen our county's authority on tobacco sales by considering this measure, and thank this committee for your consideration of HB 380 HD1.

We respectfully ask you to pass this measure.

Mahalo,

A handwritten signature in black ink that reads 'Kevin Ramirez'.

Kevin Ramirez
Coalition for a Tobacco-Free Hawai'i Program Manager
Hawai'i Public Health Institute

¹ 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.

² This study by Ward Research, Inc. summarizes findings from a phone survey among n=700 Hawai'i registered voters (maximum sampling error +/- 3.7%), conducted between October 25 to November 22, 2024.



To: The Honorable David A. Tarnas, Chair
The Honorable Mahina Poepoe, Vice-Chair
House Committee on Judiciary & Hawaiian Affairs

From: Paula Arcena, External Affairs Vice President
Mike Nguyen, Public Policy Manager
Sarielyn Curtis, External Affairs Specialist

Hearing: Thursday, February 13, 2025, 2:00 p.m., Conference Room 325

RE: **HB380 HD1 Relating to the Regulation of Tobacco Products**

AlohaCare appreciates the opportunity to provide testimony in **support of HB380 HD1**. This measure repeals existing statutory language that: (1) declares that the sale of cigarettes, tobacco products, and electronic devices are a statewide concern; and (2) preempts all local ordinances and regulations that regulate the sale of cigarettes, tobacco products, and electronic devices.

Founded in 1994 by Hawai‘i’s community health centers, AlohaCare is a community-rooted, non-profit health plan serving over 70,000 Medicaid and dual-eligible health plan members on all islands. Approximately 37 percent of our members are keiki. We are Hawai‘i’s only health plan exclusively dedicated to serving Medicaid and Medicaid-Medicare dually-eligible beneficiaries. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating for access to quality, whole-person care for all.

Tobacco use is the leading cause of preventable death and disease in Hawai‘i and across the nation. In Hawai‘i alone, tobacco use claims 1,100 lives each year and creates \$336 million in annual healthcare costs directly attributed to smoking.¹ Most people who start smoking are younger than 18, and many begin tobacco use before high school.

Hawai‘i is experiencing a youth vaping epidemic, and we must take action to protect the health of our young people from life-threatening addiction. Electronic Smoking Devices (ESDs) and e-liquids are designed and marketed specifically to entice youth. According to the American Academy of Pediatrics, flavors are one of the main reasons young people initiate tobacco use. Appealing flavors have driven youth tobacco usage to nearly 31% of high school students and 18% of middle school students, both reporting ESD use within the past 30 days.²

¹ <https://health.hawaii.gov/tobacco/home-2/>

² <https://www.hawaiihealthmatters.org/index.php?module=indicators&controller=index&action=dashboard&id=83016762154173692>



In 2018, Act 206 was passed, taking away the counties' ability to regulate the sale of tobacco products. Since that time, meaningful statewide legislation to prohibit flavored tobacco product sales have not been successful, leading to an increase in the number of youths who use ESDs.

The counties have historically, and recently, demonstrated timely policy leadership in the face of a rapidly evolving tobacco industry. For example, Hawai'i's 2015 landmark Tobacco 21 law (Act 122, 2015 HSL), was initially introduced and passed by the Hawai'i County Council in 2014. For each of our counties, there are unique geographic disparities in the prevalence of smoking by region and age groups.

The counties need the ability to quickly address the health needs of their communities, and this measure gives that power back to the counties. In Maui County, 36.6% of teens tried e-cigarettes in 2021, surpassing the Hawai'i State average (32.4%).³ Maui County also has the highest rate of teen cigarette smokers who smoke menthol cigarettes (18.5%), surpassing the Hawai'i State average (15.8%).⁴ In December 2024, Maui County Council took action to address their concern that the escalating use of electronic smoking devices has led to a significant rise in youth nicotine addiction.

We applaud Maui County, the City & County of Honolulu and Hawai'i County for their ordinances which ban the sale of flavored tobacco products. However, these ordinances are contingent on the restoration of local regulatory control on the sale of tobacco products.

Mahalo for this opportunity to testify in **support of HB380 HD1.**

³ Youth Risk Behavior Survey, 2021

⁴ Ibid

February 12, 2025

To: Members of the House Judiciary and Hawaiian Affairs Committee
From: Americans for Tax Reform
Re: Oppose HB 380

Dear Representative,

On behalf of Americans for Tax Reform (ATR) and our supporters across Hawaii, **I urge you to oppose HB 380, a preemption repeal initiative that would limit access to life saving smoking alternatives in Hawaii's largest communities.**

Repealing preemption would hurt more than 400 businesses and their consumers, pummelling them with a patchwork of new, inconsistent, and damaging local taxes and regulations on reduced risk tobacco alternatives.

At its core, "local control" is primarily a means of safeguarding individual freedoms and restricting the growth of government. It should not be misconstrued as a free pass for cities to do whatever they want. Localities are just as capable of serving as inadvertent conduits for heavy-handed laws that ultimately bring serious harm their residents. **Thus, when the bodily autonomy of a state's residents is at stake, state action is not only appropriate – it is essential.**

It is the fundamental responsibility of state governments to protect their citizens.

When it comes to tobacco harm reduction policies, local government officials nationwide – unburdened by the constant scrutiny and accountability typically found at the state level – have commonly imposed punitive taxes on the most vulnerable in their communities, ignorant of the harm imposed by such policies on low-income consumers and businesses. **Similarly, local bans and heavy-handed regulations may act contrary to all available science and data, serving to restrict the ability of smokers to quit their cancer-causing habit with the help of reduced risk tobacco alternatives.** After all, it is not often that local officials have any meaningful expertise in the field of healthcare and harm-reduction studies.

Whether they are imposed at the city or county level, the consequences of new local regulations would quickly spread across the whole state. For instance, blanket bans and higher taxes would incentivize smuggling and the sale of illicit tobacco, adversely affecting state tax collections while manifesting a surge in criminal activity. And restricting the use of electronic cigarettes, proven to be 95% safer than traditional combustible tobacco and twice as effective as alternatives such as patches or gums, could lead to further strains on the state budget thanks to the healthcare costs incurred by people who simply keep smoking instead.

I urge you to oppose this legislation and protect the interests of thousands of smokers whose lives depend on their ability to find a way to quit, without interference of government, local or otherwise.

About E-Cigarettes and Vapor Products:

- Traditional combustible tobacco remains one of the leading preventable causes of death in Hawaii. **The negative health effects of combustible tobacco come from the chemicals**

produced in the combustion process, not the nicotine. While highly addictive, nicotine is a relatively benign substance like caffeine and nicotine use “does not result in clinically significant short- or long-term harms”.

- Nicotine replacement therapies such as nicotine patches and gums have helped smokers quit for decades. In recent years, advancements in technology have created a more effective alternative: **vapor products and e-cigarettes. These products deliver nicotine through water vapor, mimicking the habitual nature of smoking while removing the deadly carcinogens that exist in traditional cigarettes.**

Benefits of E-Cigarettes and Vapor Products:

- Vapor products are proven to be 95% safer than combustible cigarettes and twice as effective at helping smokers quit than traditional nicotine replacement therapies.
- Vaping has been endorsed by over 100 of the world’s leading public health organizations as safer than smoking and an effective way to help smokers quit.
- **Studies have repeatedly shown that flavors, which HB 1778 would ban, are critical to helping adult smokers make the switch to vaping.** Adults who use flavored vapor products are **43% more likely to quit smoking** than an adult who uses un-flavored products, according to a recent study from ten of the world’s top experts in cancer prevention and public health.
- A University of Glasgow study showed that e-cigarettes particularly help disadvantaged persons quit smoking. **HB 1778 and HB 1563 will have a tremendous impact on public health and would decrease socioeconomic disparities significantly as it will prevent localities from prohibiting life-saving treatment.**
- **Vapor products would save over 250,000 lives** if a majority of Hawaii smokers made the switch to vaping, extrapolating from a large-scale analysis performed by leading cancer researchers and coordinated by Georgetown University Medical Centre.

Opposing HB 380 would protect consumers and businesses across Hawaii, ensure state tax collections are not depressed by misguided local taxes and regulations, and prevent a patchwork of ordinances that would make Hawaii a more expensive place to do business. It is imperative for state lawmakers to leverage their power to safeguard their constituents from harmful policies. As such, I urge you to **vote NO on HB 380.**

Sincerely,

Dennis Hull

State Affairs Manager

Americans for Tax Reform

TESTIMONY IN SUPPORT OF HB 380

TO: Chair Tarnas, Vice-Chair Poepoe, and Members

FROM: Michael Paul, Certified Tobacco Treatment Specialist

DATE: February 13, 2025 (2:00 PM)

Hawai'i Health & Harm Reduction Center (HHRC) **strongly supports** HB 380 HD1, which re-establishes county control over the sale of tobacco and nicotine products.

Prior to 2018, counties had the ability to regulate the sale of tobacco products in their communities. Counties in our state have been more responsive in quickly addressing the health and well-being of the people in their communities on this front. Our state's smoke-free air laws and the tobacco 21 law are examples of successful county level ordinances that were subsequently adopted statewide. Reauthorizing the counties to regulate the sale of tobacco products opens the possibilities for innovative policies at the local level, freeing the counties to find new and effective ways to address the public health challenges posed by tobacco use.

HHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those related to substance use and mental health conditions.

With the ongoing support of the Hawai'i Community Foundation, HHRC continues to offer smoking cessation services that are tailored to meet the needs of our state's LGBTQ+ people, and other priority populations through its [Hawai'i's Last Drag](#) (HLD) program.

I proudly work as one of HLD's certified tobacco treatment specialists. We work with individuals in ways that are most appropriate for their current needs, with trainings conducted in person or via phone, text, or videoconferencing. We provide smoking cessation products to assist them with quitting the consumption of smoked tobacco and other nicotine products.

Thank you for the opportunity to testify on this measure.

HB-380-HD-1

Submitted on: 2/12/2025 2:35:19 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Meiyun He	S&K Wholesale	Oppose	Remotely Via Zoom

Comments:

Testimony in Opposition to HB 380

Submitted by S&K Wholesale

Dear Chair, Vice Chair, and Members of the Committee,

S&K Wholesale strongly opposes HB 380, which seeks to repeal existing preemption laws and allow counties to establish their own regulations on matters currently governed at the state level. As a locally owned and operated wholesaler serving retailers across Hawaii, we believe this legislation would create an unworkable patchwork of regulations, placing unnecessary burdens on businesses and threatening economic stability across the state.

A repeal of preemption would mean that businesses like ours, which serve multiple counties, would be forced to navigate a maze of differing local ordinances, each with its own unique requirements, compliance costs, and enforcement mechanisms. This fragmentation would create confusion, increase operational expenses, and limit the ability of local businesses to plan and grow. Retailers especially small, family-owned stores would struggle to keep up with varying county-specific rules, putting them at a disadvantage compared to larger corporations with the resources to manage regulatory complexity.

Furthermore, inconsistent regulations would make it difficult for wholesalers like S&K to efficiently distribute products across the islands. Supply chains depend on predictability, and a patchwork of laws could lead to inefficiencies, delays, and increased costs that will ultimately be passed down to Hawaii's consumers. These additional costs would disproportionately impact low- and middle-income families, who are already grappling with the high cost of living in our state.

Maintaining a consistent statewide regulatory framework ensures fairness, stability, and economic viability for businesses and consumers alike. We urge lawmakers to consider the harmful consequences of HB 380 and to preserve a regulatory structure that allows businesses to operate efficiently while providing consumers with reliable access to goods at stable prices.

For these reasons, S&K Wholesale respectfully urges you to vote NO on HB 380.

Mahalo for your time and consideration.

Sincerely,

S&K Wholesale

HB-380-HD-1

Submitted on: 2/12/2025 3:29:15 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeffery Ko	Kilani Market	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to HB380

Jeffery Ko, Owner of Kilani Market

Chair, Vice Chair, and Members of the Committee,

My name is Jeffery Ko, and I am the owner of Kilani Market, a small, family-run business that has been serving our community for years. I am here today in strong opposition to HB380, which seeks to repeal tobacco preemption and allow counties to create their own individual tobacco regulations.

As a small business owner, I already face numerous challenges in navigating complex state and federal regulations. Allowing each county to impose its own set of tobacco laws would create a confusing and inconsistent regulatory environment that would make it even harder for small businesses like mine to operate. A patchwork of different rules across counties would not only increase compliance costs but also lead to unintended consequences, such as businesses in more regulated areas losing customers to neighboring counties with less restrictive policies.

One of the biggest concerns with HB380 is that, rather than exploring harm-reduction strategies or alternative solutions for nicotine consumption, counties may move toward outright prohibition. History has shown that prohibition does not eliminate demand—it only drives consumers to unregulated, illicit markets where products are untested, unsafe, and often more harmful. If responsible, licensed retailers like myself are forced out of the market, consumers will turn to illegal sources, leading to increased public health risks and undermining the very efforts this bill seeks to address.

Unlike large corporations that have dedicated legal teams to track and adjust to multiple sets of laws, small businesses do not have the resources to keep up with constantly changing county-level regulations. This could result in costly penalties for unintentional violations and force small retailers to limit or even discontinue selling certain products, further driving customers toward unregulated sources.

Furthermore, inconsistent regulations create unfair competition and distort the marketplace, placing additional strain on local businesses already struggling to keep up with rising costs.

Maintaining a uniform statewide policy ensures a level playing field and provides business owners with clear, predictable guidelines to follow.

I understand the importance of responsible tobacco regulation, and I fully support efforts to prevent youth access and promote public health. However, HB380 is not the right approach. A patchwork system of local laws will not only hurt small businesses but also create enforcement challenges and unintended loopholes that could worsen public health outcomes.

For these reasons, I strongly urge you to oppose HB380 and keep a consistent statewide approach to tobacco regulation. Thank you for your time and consideration.

Sincerely,

Jeffery Ko

Owner, Kilani Market

HB-380-HD-1

Submitted on: 2/10/2025 4:42:16 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shelly Ogata	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and members of the Committee on Judiciary & Hawaiian Affairs:

As a registered nurse and lifelong residents of Hawai‘i, I am in strong support of repealing the preemption language that was inserted a few years ago. Counties need to have home rule back as we are uniquely positioned to quickly address the health needs of our communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws, youth access restrictions, regulations on advertisements and promotions, and retailer licensing restrictions at the state level to more easily maintain control over tobacco regulation. We should not worry about revenue shortfalls on the backs of our keiki.

Returning the counties ability to regulate the sale of tobacco products will reduce the overall use of tobacco in our communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses. This will also stem the threat from the industry in targeting our Native Hawaiians, keiki, and other marginalized communities.

Amending HRS §328J-11.5 to reauthorize counties to regulate the sale of tobacco products opens up the possibilities, once again, for innovative policies at the local level and to find new and effective ways to address the public health challenges posed by tobacco use.

Mahalo for your support.

Shelly Ogata, RN, MPH

HB 380

I am writing as a neighbor island pediatrician in strong support of HB 380, to reverse preemption of County powers to regulate health issues locally. Since 2018, when the State Legislature voted for this usurpation of County regulation of the sale of tobacco products, the Legislature, at the urging of the tobacco lobby, has found itself unable to enact a tobacco flavor ban . Flavor bans have been proven to greatly reduce electronic tobacco use in children in other states that have been less reluctant to protect their children. Already Hawaii has one of the highest rates of vaping in the country, and the neighbor islands are suffering even more. Our schools are staggering under the burden of electronic tobacco devices. And yet, our counties are prohibited from enacting any tobacco control measures whatsoever. Previously this was not the case, and Kauai had great success in decreasing cigarette use among teens.

Please give our counties back the ability to address our local tobacco issues and protect our children.

Linda Weiner, MD
Pediatrician, Kauai

HB-380-HD-1

Submitted on: 2/10/2025 5:10:27 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jake J. Watkins	Individual	Oppose	Written Testimony Only

Comments:

Maintain state control so businesses compete on a level playing field.

HB-380-HD-1

Submitted on: 2/10/2025 5:35:13 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

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

Comments:

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HB-380-HD-1

Submitted on: 2/10/2025 5:49:57 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

Support. Thank you.

HB-380-HD-1

Submitted on: 2/10/2025 6:31:36 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa Magonigle	Individual	Support	Written Testimony Only

Comments:

I am submitting this testimony in strong support of HB 380, HD1, which restores the counties' ability to regulate the sale of tobacco products, allowing for innovative policies at the local level.

E-cigarettes play a major role in the increased rates of youth nicotine addiction, which was in decline. The counties are uniquely positioned to quickly address the health needs of their communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws and youth access restrictions at the state level to more easily maintain control over tobacco regulation. Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

I urge you to pass this bill to keep our communities safe from the harms of the tobacco industry. I believe decisions and policies made about our local community should be made at the local, county level.

Melissa Magonigle

HB-380-HD-1

Submitted on: 2/10/2025 6:33:37 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Summer Mochida-Meek	Individual	Support	Written Testimony Only

Comments:

E-cigarettes play a major role in the increased rates of youth nicotine addiction, which was in decline. The counties are uniquely positioned to quickly address the health needs of their communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws and youth access restrictions at the state level to more easily maintain control over tobacco regulation. Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

I urge you to pass this bill to keep our communities safe from the harms of the tobacco industry.

HB-380-HD-1

Submitted on: 2/10/2025 6:58:38 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

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

Comments:

Please support this important bill! The health of our youth must be safeguarded!

Date: February 10, 2025

To: The Honorable David A. Tarnas, Chair
The Honorable Mahina Poepoe, Vice Chair
Members of the House Committee on Judiciary & Hawaiian Affairs

Re: **Support for HB380 HD1**, Relating to the Regulation of Tobacco Products

Hrg: Thursday February 13, 2025 at 2:00 pm via Videoconference Conference Room 325

Aloha House Committee on Judiciary & Hawaiian Affairs,

As a parent, community member and healthcare professional I am writing in **strong support of HB380 HD1**, which repeals existing statutory language that: declares that the sale of cigarettes, tobacco products, and electronic devices are a statewide concern; and preempts all local ordinances and regulations that regulate the sale of cigarettes, tobacco products, and electronic devices.

Local governments need the ability to pass evidence-based policies to address the needs of their community.

Local governments act as hubs where new public health strategies are created and implemented. To promote health equity, local officials should be empowered to enact laws that address the unique needs of their communities, with state governments playing a role in supporting and expanding on these community-based solutions.

Some of Hawai'i's most successful tobacco policies started at the local level, including raising the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

Since 2018, only the state has been able to enact regulations on the sale of tobacco products. During this time the youth vaping epidemic (now in its 8th year) has continued without the most affected counties (neighbor islands) being able to implement local solutions.

Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

I **strongly support HB380 HD1**, respectfully ask you to pass it out of committee.

Many thanks for your consideration,

Forrest Batz, PharmD
Keaau, HI

Luke Itomura

February 13, 2025

House Committee on Judiciary &
Hawaiian Affairs

TESTIMONY IN STRONG SUPPORT OF HB380

Aloha Chair David Tarnas, Vice Chair
Mahina Poepoe, and members of the
Committee on Consumer Protection and
Commerce,



**Photo of Collected Vapes from Schools Across
Hawaii**

Thank you for the opportunity to submit testimony in **strong support of HB380**. I am Luke Itomura, a sophomore at Punahou School, and I am testifying to express my strong support for HB380. Today, I stand alongside numerous Hawaii youth united against the alarming youth-flavored vaping epidemic that threatens our health and future. We collectively believe that passing this legislation is an essential step in protecting the health and future of the youth.

At just 13 years old, I was offered a flavored vape by another youth for the first time. This youth smoker used many tactics to peer pressure me into trying it. Their main tactic was telling me it was a delicious Hawaiian Sun flavor; a local favorite. At that moment, I realized how easy it is to fall for the appeal of flavored vapes. My friends in the sixth grade had also mentioned that they were offered flavored vapes. For people as young as twelve, flavors like watermelon or Jolly Rancher are an enticing death trap. What starts as innocent curiosity can turn into a lifelong addiction filled with lung cancer, strokes, heart disease, and countless other diseases. There is no other product on the market that kills up to 50% of its users who don't quit ([WHO](#)).

Advocates have worked to pass bills that end the sale of flavored tobacco in the City and County of Honolulu, the County of Hawai'i, and the Count of Maui. The counties have given the state a clear message to protect our keiki and restore their authority to regulate tobacco sales by passing HB380. Past precedent proves that **bills that end the sale of flavored tobacco are effective**. A study published in JAMA Network evaluating statewide restrictions on flavored e-cigarette sales in the US from 2014 to 2020 found that statewide restrictions were associated with reductions of 25.01% to 31.26% in total e-cigarette unit sales compared to states without restrictions ([Ali et al. 2022](#)). Thus, it is clear that similar results will yield from the passage of HB380, protecting our innocent keiki from Big Tobacco

Many opposers bring up the argument that Hawaii would lose tax revenue by banning flavored tobacco products. However, the full picture must be taken into account. The reality is that while the state would likely see a reduction of tax revenue in the short term, **long-term cost savings would be substantial**. A report by the Campaign for Tobacco-Free Kids ([CTFK](#)) found the following:

Annual healthcare costs in Hawaii directly caused by smoking	\$611 million
Medicaid costs caused by smoking in Hawaii	\$152.3 million
Residents' state & federal tax burden from smoking-caused government expenditures	\$955 per household
Smoking-caused productivity losses in Hawaii (from smoking-caused premature death and illness that prevent people from working)	\$1.1 billion

By passing HB380, Hawaii can reduce these costs, thereby saving more in the long run. A study by Stanford University shows that Hawaii can expect these savings: it found that prohibiting flavored tobacco leads to savings in healthcare expenses and increased labor productivity ([Proctor 2013](#)). **84% of Hawaii registered voters support ending the sale of flavored tobacco products**, justifying that this is a highly wanted policy ([Ward Research](#)).

Flavored tobacco has no place in the hands of the youth. Passing HB380 is the first step in securing a tobacco-free future.

Thank you for your time.

Mahalo,

Luke Itomura

HB-380-HD-1

Submitted on: 2/11/2025 5:58:25 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Collins	Individual	Support	Written Testimony Only

Comments:

Please pass this measure to support the health and future of our youth.

HB-380-HD-1

Submitted on: 2/11/2025 7:03:12 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edward Johnston	Individual	Support	Written Testimony Only

Comments:

I totally support this Bill!

HB-380-HD-1

Submitted on: 2/11/2025 7:27:47 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Winternitz	Individual	Support	Written Testimony Only

Comments:

Dear Chair and Members of the House Committee on Judiciary & Hawaiian Affairs,

E-cigarettes play a major role in the increased rates of youth nicotine addiction, which was in decline. The counties are uniquely positioned to quickly address the health needs of their communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws and youth access restrictions at the state level to more easily maintain control over tobacco regulation. Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

I urge you to pass this bill to keep our communities safe from the harms of the tobacco industry.

Elizabeth Winternitz, Kula Maui

HB-380-HD-1

Submitted on: 2/11/2025 7:44:55 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Santiago	Individual	Oppose	Written Testimony Only

Comments:

Maintain State control and a level playing field for each county.

I Strongly Oppose HB380.

Sincerely,

Brian Santiago

February, 2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on
Judiciary and Hawaiian Affairs

My name is Dylan Arisumi, and I am a high school student attending Maui High School. I serve as a member of the youth council for the Coalition for Tobacco-Free Hawai'i. I am in **strong support for HB380**. As a youth that dedicated a lot of effort and testified on the Maui County flavor ban, I would like to see the state take action and restore county authority to regulate tobacco products.

As a student, it's hard to ignore when people think vaping is just a harmless trend, but it's not. I've seen how flavored vapes are marketed directly to people like me. Fruit, candy, mint—these flavors make vaping seem harmless, almost like a fun treat. But they're not. Flavored vapes are a gateway for young people to get hooked on nicotine. It's easier to ignore the dangers when the product tastes like candy or fruit. For those of us who play sports, vaping can have an even greater impact. Nicotine and other chemicals found in vapes can harm lung function, making it harder to breathe during physical activity. This means reduced stamina, slower recovery, and less endurance, which can really hold you back in sports. The chemicals can also mess with your brain, affecting focus, coordination, and reaction time—critical things you need in sports. It's really troubling when I see younger students getting involved, thinking it's cool or safe.

Thank you for allowing me to testify and for supporting the youth and our future

Dylan Arisumi
Kahului

Chair David Tarnas
Vice Chair Mahina Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I am writing in **strong support of HB380** which would restore the counties' authority to regulate tobacco sales. Currently, Honolulu, Hawaii, and Maui Counties have passed laws to end the sale of flavored tobacco. They need the State to restore their authority so these important bills can go into effect.

Why is this important? I believe flavored tobacco products are targeting kids because the flavors sound like candy. For example cotton candy, blue raspberry, and more. The impact of nicotine addiction I see in students in my school and community is negatively affecting their academics, participation in sports and clubs, and relationships with family and friends. Due to industry marketing and the wide range of flavors youth look at e-cigarettes like it's normalized and use it to cope with their mental health problems. They often start through other students or someone they know. We're in an age group where we can be so easily influenced that, when one friend does it, so does the whole friend group.

One time during my free period at school my friends were hanging out. another friend came up to us and she sat down. She started vaping said she was vaping and the smoke detector in the bathroom went off and it started saying that security was being called so she ran away. Instead of trying to catch and punish youth who are addicted, we need to get rid of the flavors so they don't even start. 3 counties have passed laws to do this, please restore their ability to regulate tobacco sales so they can go into effect.

Thank you for the opportunity to testify.

Kaycee Miguel
Ewa Beach

Chair Tarnas
Vice Chair Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

My name is RJ and I am in strong support for bill **HB380** to give back the authority of counties to regulate tobacco sales.

I have seen many impacts of nicotine addiction in my peers. They seem to feel like they need their vape to get by the day or they will feel poorly. They are so fixated on making sure they get a puff to feel better and perform better. I know peers that vaped that stopped doing what they loved after they started vaping, and I know peers that take vape breaks.

One personal example of how vaping has affected me is I had a best friend lash out at me, and almost got physical because they lost their vape which they just misplaced. They have not apologized and I thought I was a good enough friend to them that they would even have the decency to apologize.

Another example of how vaping has personally affected me is in the last 7 months of owning a license because the driver was distracted from using their vape. During one of these occurrences I noticed that they were reaching for something in the passenger seat, and low and behold it was their vape. That particular event happened when I was on my way to provide testimony at the last Maui County Council hearing that passed our flavor ban in December.

Based on my personal experiences with members in my community who vape, please restore the authority to regulate tobacco at the county level. Our schools and communities deserve to be protected from the dangers of youth-targeted tobacco marketing.

RJ
Lahaina

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

I'm writing to show my support for **HB380**. It would restore counties' authority to regulate tobacco sales, so Honolulu, Hawaii, and Maui can enforce their laws banning flavored tobacco and protect young people.

I have seen first hand how vaping can affect youth. It started off in my Sophomore year when I heard that one of the most popular boys bathrooms was closed due to extensive tobacco usage. The smell was coming outside of the door and was barricaded for a long time, preventing anyone from entering. I never knew anyone personally who used tobacco products, but as I grew up, I realized that I knew many of the people who went into the bathrooms to use vape products. I heard news about students using it secretly, and I realized how big of an issue it was. It was so secretive, however, that I hadn't realized until too late. Some of my childhood friends began to use the products, just to try it at first, and started using them more frequently as they gained more access. While I don't think they became addicted, just trying the products in the first place was an immense concern because that is how addictions start.

Tobacco companies are intentionally targeting youth and creating the youth vaping epidemic that we are all experiencing. The fact that flavored tobacco products have innocent flavors and brand names like Hawaiian Sun, Lychee, or even something simple like Bubblegum shows how vapes are targeted towards children. No adult would likely buy such innocent flavors. The flavors and designs of these products entice children, convincing them that it might not be so bad in the beginning, and slowly spiral them into large addictions.

I know how secretive my peers can be when it comes to using tobacco products. Some come to school completely normal, but I know that they used such products over the weekend with their friends. It's a terrifying realization that those around me use those products frequently, eventually leading to addictions that will affect their lives forever. Many of these peers are incredible individuals: they have dreams and the skills to achieve them. Tobacco products and peer pressure to use them both in and out of school should not come in the way of their futures. No financial or other factor should come close to this argument, because these are the futures of youth. Once you start, it's so hard to fix yourself. So let's make sure that people don't start at all.

I strongly support the ability to regulate tobacco sales at the county level because county level leaders know what needs to be done for the good of their people. Tobacco addictions can run high in specific locations compared to others and there could be many people reliant on the tobacco industry for an income. At the county level, it provides more individualized power to create changes that compromise as much as possible and not generalizing at the state level. By giving the state sole control of these policies, no changes will be made soon at all.

Chani Chung
Ala Moana

Chair David Tarnas
Vice Chair Mahina Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I **support HB380** to restore the county's ability to regulate tobacco sales.

Flavored tobacco products are hooking kids. All of the people I know who use flavored tobacco (vapes) are all under the age of say 17. I know that there are adults who use these products as well, however they are not the majority that I see. Flavors are used to hook people, kids especially, as they make it seem like no big deal, like candy. One of my friends who do vape are hooked not only on specific flavors but also vapes that you can play games on supposedly. The more interesting and inviting the products can seem, the more likely they are to hook kids.

I want these products to be banned due to the effects they have on people's health and to make sure no more of my peers get hooked. I hate to think about how damaged my generation can become just because they got hooked on a flavor while they were younger. I want to live in a future where my peers aren't being targeted by harmful tobacco products. I urge you to take a stand by banning flavored tobacco and giving counties the authority to regulate tobacco use at the local level

Rya Ortogero
Kahului

Representative David Tarnas: Chair

Representative Mahina Poepoe: Vice Chair

Members of the Committee on Judiciary and Hawaiian Affairs

I'm writing to **support HB380**. This bill would give counties like Honolulu, Hawaii, and Maui the power to regulate tobacco sales and enforce laws banning flavored tobacco, which is a big issue in our communities.

As a current high school student, I see the adverse effects Tobacco products can have on my peers, and helping to end the selling of those products as a whole, and not just in kids, would significantly change the lives of many of those students. When I think back to my experience with flavored Tobacco products, I immediately remember the time when I had to go to the bathroom so wrong that I went during my school's recess period. Ordinarily, I try not to go to the restroom during school hours because I have heard stories about the housing of nicotine use, yet I was still shocked at the number of artificial sick flavors that hit my nose as soon as I stepped inside. There were about four girls, all so consumed with gossiping while smoking their e-cigarettes that they did not even notice when I immediately turned around to leave. I never went to that bathroom again, but I still think about how they were smoking something they knew was not allowed in a public school bathroom and did not even notice when someone walked inside.

It was almost as if it was normalized in middle schools where most students are ages 11 to 14, even though the legal age is 21. Passing this bill will put an end to the illegal substance abuse going on in middle schools, high schools, and even elementary schools, which in turn will lead to more students making the right choices for their bodies.

Please support **HB380**, Thank You for Reading,
Violet Kato

Chair Tarnas

Vice Chair Poepoe

Members of the Committee on Judiciary and Hawaiian Affairs

I **support HB380** so that less people can smoke and vape, especially kids since they are so young and it will hurt them early on if they vape at such a young age. I believe flavored tobacco products are targeting kids because kids love to have flavored things and will enjoy things if they are their favorite flavors. These flavors are often fruity and named in a way where it targets kids like a bubblegum flavor for example.

Impacts of nicotine addiction that I see is wasting a lot of money and time doing these products that have nicotine in them. I know a few people who have been addicted to vapes and cigarettes often starting with products that have a flavor in them. Their addiction has impacted them and others around by often not being able to go over 20 minutes without hitting their vape again and they often begin to cough a lot.

I'm in support of HB380 because it will allow counties to take real action on the flavor bans they've already put in place, directly addressing the problem of youth vaping.

Kaulana Kraan

Aiea

Aloha Chair Tarnas, Vice Chair Mahina Poepoe,
and Members of the Committee on Judiciary
and Hawaiian Affairs.

I strongly support **HB380**.

In my middle school, I haven't seen but I heard from some friends about their classmates going in the bathrooms during class and vaping with stuff they somehow got their hands on. Flavors is what is pulling kids to vape more because both the feeling of vaping and the taste is probably more enjoyable than tasting smoke.

Please end the sale of flavored tobacco products to help protect people from vapes and allow the county to regulate tobacco in its own community.

Mahina
Maui

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and
Hawaiian Affairs

I **support HB380** which restores counties' authority to regulate tobacco sales. It has passed in Maui, Honolulu, and Hawaii County and in order for it to go in effect this bill would need to pass. Flavored tobacco products have been a large issue in my school and community and we would really benefit if this would go into effect.

Some of the impacts of nicotine addiction that I see in the students are hiding in the bathroom to do vape, overall making the bathrooms an unsafe space. I have a friend who did not like the idea of going to the bathroom alone. At the time I could just laugh as a friend but in hindsight the overall stigma and stereotypes of youth using these types of things likely made him feel unsafe. We all deserve to feel safe in our communities and should not feel like we can't enter certain spaces.

This is especially happening to kids because of flavors. It's disgusting how companies are masking vapes under the guise of different flavors, pushing the notion that vapes are a treat akin to candy, with candy/treats being desirable for kids. It is a decision very clearly being done to target children, who are very vulnerable. It's one more thing to trap them into trying it just once to see what the flavors all about, in an addiction that only benefits the companies who market them.

Even if it makes my friends feel unsafe, I believe it's unfair to punish the youth of our age for getting addicted to a substance that they were being subconsciously and maliciously drawn to by big companies. Of course it's not appropriate to vape in class, but we should definitely have help rather than bring down the mindset.

Logan Ortogero

Kahului

Chair David Tarnas

Vice Chair Mahina Poepoe

Members of the Committee on Judiciary and Hawaiian Affairs

I **strongly support HB380**, which would restore counties' ability to regulate tobacco sales.

Flavored tobacco products are targeted towards kids. Products often have colorful, eye-catching packaging that resembles candy or snacks, making them more appealing to younger consumers. Flavors often have names that are incredibly vibrant and fun, which can sound appealing to many children. Teens may think that the minty cooling flavor of menthol is less harmful and forgiving than regular tobacco products. However, this is not the case. Vaping in youth has become a massive problem that is affecting the community and that is due to how flavor tobacco is being targeted to us youth.

I believe flavored tobacco products are a direct threat to my health and the health of my peers. I ask you to act now by banning these products and restoring local governments' authority to regulate tobacco, ensuring a safer future for all of us.

Louis Taguchi

Honolulu

February 10th 2025

Aloha Chair David Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I strongly support **HB380** because of the impact I am seeing it has on my friends, community, and youth.

One personal experience is my close college friend vapes and she started with flavored disposable vapes. Whenever she is anxious, she reaches for her vape even though she knows it's not actually helping her in any way. She has recently started smoking menthol cigarettes as well, furthering her nicotine addiction. I am concerned because she now uses both vapes and cigarettes, and I believe this would not have happened if menthol flavors had not been added to tobacco products. She hates the smell of straight tobacco, so had flavors not been added, she probably wouldn't smoke at all.

Flavored tobacco products, especially menthol, must be banned as it is another avenue for youth to become addicted. My close friend, like many others, was first drawn to vaping because of the flavored options, and now that addiction has progressed to smoking cigarettes. The addition of menthol flavors to cigarettes has only made the transition easier for her.

What's also troubling is that she often asks to vape in a car, spreading chemicals around through secondhand smoke. This has the potential to harm others around her, particularly when it comes to children or non-smokers. This is a serious concern that our local governments should address.

Counties should be able to regulate tobacco sales. Our county government already assists with everyday issues like filling a pothole or fixing broken park equipment. It is clear that flavored tobacco products are a daily issue for many youth, and our City Council should be able to help us address that problem as well.

Furthermore, curbing the ability of county governments to legislate, such as by taking the ability to regulate tobacco sales, would be antithetical to the point of having separate levels of government. County governments are meant to be closer to the people they represent, allowing us to be better served as they understand our specific needs and concerns more deeply.

Thank you for considering this important issue.

Theresa Ng
Honolulu

Chair David Tarnas
Vice Chair Mahina Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I strongly support HB380 so that we can end the youth vaping epidemic

I do not know anyone personally who has become addicted to tobacco products, but I have seen many others in my community and in my school who are constantly craving for the next hit of their vape or waiting for the next moment they can smoke. In school, some students have become so addicted that they smoke in the classrooms and bathrooms because they can't fight their addiction. It makes others around them uncomfortable and puts the individual facing the addiction in a position where they can get in trouble if they haven't already. It affects so many aspects of their lives. Students become so focused on the next time they'll be able to smoke that they stop focusing on their education. Oftentimes, these people with addictions are trying to cope with issues they already have, and smoking only amplifies their issues, creating disorder in their lives. They don't focus on what's important for their success and focus on their addiction instead.

Flavors hook kids. Tobacco companies don't care what happens to their consumers as long as they are able to make money. Kids are easily influenced and nicotine addiction only keeps these kids coming back for more, keeping tobacco companies running. Menthol flavors are appealing to kids. A kid most likely wouldn't want to smoke something that is flavorless and "boring." But when colors and flavors are added to these products, kids will want to participate. Penalizing instead of offering support and counseling for youths struggling with addiction can only add to the negative emotions they are already feeling dealing with their addiction. Penalties may only draw them closer to their addiction rather than leaving it behind.

I have a history of smoking in my family, and it has caused me to lose important people in my life sooner than expected. Smoking isn't the solution to struggles and hardship in life, and only amplifies those negative feelings. After my dad came back from war, he smoked almost every day to cope with the trauma he had faced, but he realized that if he continued to use smoking as a way to cope with his struggles, he wouldn't be able to be around long enough to raise his 4 daughters and maintain a strong family relationship with us.

If the state does not take action to pass a flavor ban I support restoring county authority to regulate tobacco. Someone has to take action if the state doesn't.

Addison
Aiea

Chair Tarnas
Vice Chair Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I'm in full **support of HB380**. It's something that will really make a difference.

Even though I never tried to vape or smoke, I did have friends around me who vape or smoke. Most of the people that I see that take usage do start to care less about their academics, clubs, and sport. The parents relationship is also deteriorated but depending on the friends they are around with, it seems like it doesn't affect it. It is being advertised as being a healthier option to smoking real cigarettes. However, vaping is definitely more dangerous as it contains more nicotine than the normal cigarettes.

Flavors make it easier to start smoking but harder to quit so it can have a negative influence on teenagers in Hawaii. We should definitely stop anything that contains a harmful dose of nicotine.

Instead of punishing kids for getting hooked on vapes, there should be some kind of reinforcement to prevent more tobacco use. We should ban flavored tobacco so kids will not be exposed to harmful doses of nicotine. I strongly support HB380, which would restore the counties' authority to regulate tobacco sales and allow them to take action on the flavor bans that have already passed at the county level.

Darren
Aiea

Chair David Tarnas

Vice Chair Mahina Poepoe

Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 because it will cause meaningful change.

One personal experience I have had is my friend is addicted to vaping, they started vaping a peach ice vape. Their addiction has impacted them because she started getting more headaches and started to feel sick more often. She would never leave anywhere without her vape. We were very close but when she started vaping and using her vape often she started to become grumpy and put in a not so good mood. We would talk less and less and then later on we stopped being friends and our friendship was over because of a vape.

The impact of nicotine addiction I see in students at my school is they have a harder time focusing and learning in class. Vaping is definitely affecting their academics for the peers in my community. But I don't think there should be youth penalties because it is not fair since they are targeting kids with all the fruity flavors.

I believe flavored tobacco products are targeting kids, for example they promote the different kinds of fruity flavors. Also, it's important to me that menthol flavors be included in the ban for both e-cigarettes and other tobacco products because it makes the product look better and look like it tastes good. That is why we need to pass HB380, the state can restore the ability of counties to take action on the flavor bans they've already approved, helping to lower the rates of youth vaping in our communities.

Sayde

Ewa Beach

Chair: Representative Tarnas
Vice Chair: Representative Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 because I do know people that have become addicted to tobacco products. I believe that they did start with flavored products. Their addictions kinda lead to a snowball effect, once they started doing it then other people around them started to do it too. Vaping has affected some of my old friends because they had become so reliant on vapes that they would become extremely mad and even unpleasant to be around because of the fact that all they could think about was vaping. It had affected there schoolwork and there personal life a tremendous amount.

Some impacts of nicotine addiction that I see in students are they are extremely dependent on vape, and this makes them miss class time since they are always in the bathroom smoking. In turn, leading them to have diminished grades because they are missing class. In sports, they become out of breath extremely easy and sometimes have trouble breathing. Sometimes it puts strain on our friendship because I don't wanna be around them when they do it.

This is important to focus on because flavored tobacco products are targeting kids because some ads are very colorful and kinda glorify vaping. That is the reason why I believe youth penalties shouldn't be included because sometimes kids make bad decisions and they regret it but they are so addicted that even if they tried to stop they couldn't. So punishing them for one mistake could lead them to just giving up on trying to be better. Also, sometimes kids fall to peer pressure which would be unfair to the kids that were forced to do it.

I support HB380 because it gives the counties the ability to regulate the sale of tobacco products, it gives the counties power to make decisions about tobacco in their community. Our counties made a strong move by banning flavored tobacco. Now the state should give them back the authority they need to make those bans happen and help protect future generations from addiction.

Braxton
Waipahu

2025 Feb. 11

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I support HB380 because flavored tobacco products have had negative effects on people that I know.

I believe flavored tobacco products target kids because of the way they name the flavors of vapes. I have heard flavors like "Candy" or "Cotton Candy," which I believe could arouse the curiosity of the youth. I know multiple people, from my middle school to now as a high school student, who had and is still vaping. The only vape I had seen them with are flavored. It has affected others because I saw some friends who started to follow their bad habits.

In my personal experience of how tobacco products left a negative impact in my life, friendships I used to hold onto so dearly are broken because I chose not to follow their bad habits which lead to them thinking they needed a different friend group.

Nicotine addiction has a negative mark on my school community, those who vape or had used a vape seemed to always decline on their academics. I believe menthol flavors could be the reason why nicotine addiction is much higher than it needs to be, people I know seem to always use flavored vapes and never a bland or plain vape. That is why we need to restore county authority to regulate tobacco sales. The counties have done their part by passing flavor bans. It's time for the state to give them the authority to make those laws official and ensure that more teens don't get hooked on tobacco.

Clark Rivera

Aiea

02/11/2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I **fully support HB380**, which would restore the county's authority to regulate tobacco sales. Thanks to our collective efforts, Maui County passed a comprehensive flavor ban, including menthol, at the end of last year. However, this ban cannot take effect until the state grants the county the authority to regulate tobacco sales within its jurisdiction. We would like to see our efforts take action!

Many of my family members are heavily addicted to cigarettes and vapes, which has become a daily habit for them. Initially beginning with flavored products, they are now hooked on it and have not been able to quit despite numerous attempts. Their addiction has drastically impacted their life and our family as they consistently use their products. Sadly, this story is not unique, as many others, especially young people, have fallen into the same cycle.

At our school, a large number of students are addicted to nicotine products, finding themselves using them daily. They leave class to use them and become more hooked the longer they use them. This addiction leads to constant agitation and an increasing dependency on these products, which heavily impacts their studies and futures. The prevalence of nicotine use among youth is alarming, and we must acknowledge the significant role flavored tobacco products play in this epidemic.

Flavored tobacco products clearly target youth through their marketing and product design. The use of fruity, candy-like, and dessert flavors appeals to younger demographics, making these products more enticing and masking the harshness of tobacco. For instance, flavors like "bubblegum," "blue raspberry," and "cotton candy" directly mimic the flavors of popular childhood treats. Advertisements often feature bright, playful colors and sleek packaging, resembling products meant for children rather than adults. This clever marketing only exacerbates the problem, drawing in more vulnerable individuals, especially teens.

In addition to the fruity flavors, menthol flavors should also be included in the ban because they are particularly harmful. Menthol's ability to mask the harshness of tobacco makes it easier for individuals, especially young people, to start smoking and much harder to quit. It enhances nicotine addiction and disproportionately affects youth and marginalized communities. Excluding menthol from the ban creates a loophole that perpetuates addiction and undermines public health efforts. Protecting all individuals, especially young people, requires a comprehensive ban on all flavored products, including menthol.

Many of my peers in high school have fallen into vaping, often due to the perceived harmlessness of flavored e-cigarettes. One particular friend started using mango-flavored vapes because it "tasted good" and didn't seem dangerous. Over time, their usage escalated, impacting their health and focus at school. They struggled with withdrawal symptoms when trying to quit, highlighting how addictive these products can be. Witnessing how a seemingly innocent habit turned into a dependency has only strengthened my belief that stricter regulations are necessary to prevent youth from becoming victims of nicotine addiction.

It's become clear that the state needs to take action to protect public health, but counties should also have the authority to regulate tobacco sales and ban flavored products if the state does not act. Local governments often have a closer understanding of the needs and challenges within their communities and are better positioned to implement policies that protect public health. In Maui, for example, we worked

extremely hard by submitting testimony to pass a county-level flavor ban. This effort demonstrated how effective local-level action can be, but it's crucial that the state restores county authority to regulate tobacco sales. This would empower communities to take proactive steps to prevent youth tobacco use and address local concerns, rather than waiting for state-level action, which often leads to delays that prolong the harm caused by flavored tobacco products.

Finally, youth penalties should not be included in tobacco regulation bills, as they shift the responsibility away from the tobacco industry and onto the youth—many of whom are simply victims of targeted marketing and peer pressure. Penalizing youth discourages them from seeking help for their addiction and creates stigma, rather than addressing the root causes of the problem. Effective regulation should focus on holding tobacco companies accountable, providing education and support for young people, and prioritizing prevention and rehabilitation over punishment. The goal should be to break the cycle of addiction and protect future generations from the harmful effects of tobacco.

Ciana Cooper
Kihei

Chair- Representative Tarnas

Vice Chair- Representative Poepoe

Members of the Committee on Judiciary and Hawaiian Affairs

I am writing in **support of HB380**. Tobacco is the leading cause of preventable death in the world. Ending the sale of flavored tobacco products by restoring county authority to regulate tobacco sales would help change this.

A personal story I want to share is that my brother once had an addiction to nicotine in the form of a vape pen, mistaking it for something else. Like many others, he started with a flavored product. This addiction made him more aggressive, especially around me, as I was a consistent witness to his use of it. I often considered telling our parents, but I assumed he knew the consequences and continued anyway, driven by his addiction.

I frequently see kids sneaking away to get a hit, whether it's outside or even during class. Not all of them have poor academic performance, but that is more the exception than the rule—most of them do struggle academically. While I can't speak to how nicotine affects students in sports, I have seen many ads about it on YouTube. I don't often pay much attention to other students who use nicotine products or their relationships with others, but, like my brother, aggressiveness is certainly a common trait.

The presence of nicotine ads is undeniable. I've seen countless ads put out by resellers of nicotine products, often on social media—platforms that are deeply embedded in the lives of my generation. While I wouldn't necessarily blame individual businesses for targeting children, resellers play a significant role in the promotion of these products, and they still fall under the broader nicotine industry.

Menthol in certain products can make them more appealing or presentable, potentially drawing more people in. When marketed as something that makes it "easier" to use, menthol products could definitely attract younger children—whether they're curious about the world around them or already using nicotine products. This targeted appeal can be especially dangerous.

Though I have never used a tobacco or nicotine product myself, I have witnessed its effects on others. I personally can tolerate the choices people make, understanding that everyone has the right to make their own decisions. However, with that freedom, people often make choices they later regret. I've had to sever ties with people I thought were good friends.

To ensure that they are doing their part to end the youth vaping epidemic Maui, Honolulu, and Hawaii Counties have already done the right thing by passing flavor bans. Now, it's time for the state to give them the authority to actually enforce those laws and protect our generation from tobacco.

CJ

Aiea

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I am in strong **support of passing HB380** so that the state can restore the ability of counties to take action on the flavor bans they've already approved, helping to reduce the rates of youth vaping in our communities.

The impact of nicotine addiction that I see in the students at my school and in my community is that they can't go long without nicotine in their hands. While it doesn't seem to affect their academics directly, it definitely affects their participation in sports. Smokers especially have a hard time breathing, which makes it much more difficult for them to perform in high-energy activities like sports.

Personally, I know many individuals who are addicted to tobacco products. Some of them started with flavored products, and I believe that's where the addiction begins. Others started smoking cigarettes at a young age, even as early as 13. Their addiction has caused a range of health issues, from breathing problems to, in some cases, even death.

I believe flavored tobacco products are specifically targeting kids. The way they're advertised makes them look cool and appealing. Although I haven't personally seen these ads, when I was working on my Girl Scout project to end vaping, I did a lot of research and found that these ads are designed to attract young people. The only tobacco-related ads I've seen lately are from survivors of smoking who regret their decision. These ads highlight why it's not worth smoking away your life, literally.

In my own life, many people I know smoke and vape. I always tell them that they shouldn't be using these products because of the damage they're doing to their bodies. Seeing the negative effects of addiction in people close to me has taught me to avoid tobacco products and to never go down that path because of the serious consequences.

Youth penalties should not be included in any tobacco regulation bills because it wouldn't be fair to target kids. Instead, the focus should be on getting rid of flavored tobacco products. By eliminating these flavors, we can prevent youth from starting to vape, getting hooked, or becoming addicted to tobacco in the first place. Maui, Honolulu, and Hawaii Counties have done the hard work of passing flavor bans. Now, the state should restore their authority so they can enforce these bans and prevent more teens from getting addicted.

Jordan Lopez

Aiea

Chair Tarnas
Vice Chair Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I am testifying in strong support of HB380 because I know someone who became addicted to tobacco products, and they started with a flavored product. Their addiction impacted everyone around them because we were all concerned about how it could affect their future.

Nicotine use is very common in our community, and many people can't go too long without using it. Some students feel the urge to use nicotine during school, which distracts them from their learning. Additionally, nicotine use has a clear impact on participation in sports, as it affects the respiratory system, making physical activity more difficult. On top of that, these addictions can negatively affect relationships with family and friends. People worry about their loved ones, and the user's mood is often influenced by their addiction.

I've also seen many advertisements that clearly target kids. The flavored products they advertise are made to be appealing to a younger audience, and I've noticed that many ads use cartoons to promote these products, making it seem like using them is "cool."

Banning these flavored products is essential for the future. If so many young people are using them now, and influencing others to do the same, the long-term impact could be devastating. Once you start, it becomes much harder to quit, and that's something we need to prevent. That's why Maui, Honolulu, and Hawaii Counties have made the right decision to ban flavored tobacco. The state should restore the authority to these counties so they can take action and actually protect our future.

Alyssa Duro
Aiea

Chair Tarnas
Vice Chair Poepoe
Members of the Committee

I am testifying in strong support of HB380, which seeks to restore county authority to regulate tobacco sales, especially flavored products, to protect the health and well-being of our communities.

I have seen firsthand how nicotine addiction affects people around me, including friends and family. The most notable case is my dad, who became addicted to smoking cigarettes. Doctors had recommended vapes as a “healthier” alternative, but now he’s just as dependent on his vape as he was on cigarettes. It’s like replacing one addiction with another, and it still has a negative impact on his overall health.

Nicotine addiction also affects students in our school, causing many to skip classes or lose focus during lessons because they feel the constant need to take a hit. Despite our school’s ban on vaping, bathrooms still reek of artificial flavors, and we can’t fully stop the presence of vaping on campus. This is a clear sign that more needs to be done to address the issue.

Flavored tobacco products, in particular, are clearly targeting kids. The artificial flavors used—like those found in ice cream or candy—are designed to be appealing to my generation, making it seem like a fun or harmless activity. On top of that, these products are so easily obtainable for kids my age. Many never feel that purchasing them is wrong, and it’s not hard for them to find a way to get their hands on them.

This is why I believe it’s so important to restrict the sale of flavored tobacco products. Eliminating these flavors removes a huge selling point that draws in young people. Without the appeal of sweet or fruity flavors, many of my peers may not be as easily influenced to try vaping, which could prevent addiction before it even starts.

I strongly support HB380 because it will restore the authority to counties, giving them the power to enforce these changes at the local level. This bill is crucial for protecting the next generation from the harms of nicotine addiction and ensuring the health of our communities.

Merry Lorhyne
Aiea

Chair David Tarnas
Vice Chair Mahina Poepoe
& Members of the Committee on Judiciary and Hawaiian Affairs

My name is Lillian Chau, a Sophomore attending Maui High School. I am writing to express my **strong support for HB380**, which aims to restore county authority to regulate tobacco products. As a student pursuing the medical field and an active member of HOSA - Future Health Professionals, an organization that aims to empower individuals to become leaders in the global health community through education, collaboration and experience, I believe this bill is an important step towards protecting our youth from the dangers of nicotine addiction. I worked to help pass the Maui County flavor ban, but it can't take effect until the state restores the county's authority to regulate tobacco sales, a step that is crucial for making our efforts a reality.

Flavored tobacco products, like e-cigarettes and menthol cigarettes, are specifically designed to attract young people. The sweet and fruity flavors mask the harsh taste of tobacco, making it easier for kids and teens to start using these products. The evidence is clear: By targeting young people with sweet, fruity, and minty flavors, the tobacco industry has effectively created a new generation of nicotine users, many of whom will face long-term health consequences as a result.

As a student, I have experienced first hand how the addiction of nicotine spreads throughout my peers. It starts with one student and by the end of the day, at least 2-4 students are asking to hit that same vape. Once addicted, it can be very hard to quit, which could affect their health, academic performance, and long-term well-being.

We have the power to make a real difference for the future of Maui. By supporting HB380, our youth can be protected from the harmful effects of tobacco and allow for our community to be in a healthier state. I truly believe this is an important step towards a brighter future, and I hope you will vote in favor of it.

Thank you for your time and consideration,

Mahalo,
Lillian Chau
Maui High School

Chair Representative Tarnas
Vice Chair Representative Poepoe
Members of the Committee of Judiciary and Hawaiian Affairs

I am in **support of HB 380** due to the rise of youth nicotine addiction generally caused by the increased use of e-cigarette usage. Hawaii has made great strides to attempt to decrease the numbers by increasing the age of tobacco products to 21 years old and smoke-free car rides while keiki are present. As a recent college graduate, I've seen my peers fall victim to the appealing advertisement and usage of tobacco products, specifically the uprising of vape products like juul, elfbar, and many other products that are rapidly appearing. By allowing the counties to regulate the sale of tobacco products, Hawaii's great efforts to reduce the usage and demand of tobacco products that have greatly affected my family, friends, and community can continue.

Together it is our kuleana to improve public health in our community by restoring county authority to regulate the sale of tobacco products. Maui, Honolulu, and Hawaii Counties have already made the right decision by passing flavor bans. It's time for the state to respect those decisions and return the authority to regulate tobacco sales, allowing these laws to be put into action and protect local communities.

Alexis Cortes-Swanson

Aiea

2/10/2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I support HB380 because Maui, Honolulu, and Hawaii Counties have made significant efforts in banning flavored tobacco to reduce youth addiction. The state must now restore the counties' authority to regulate tobacco sales so these policies can be fully implemented and prevent further harm to the youth that it has already effected.

Restoring county authority to regulate tobacco products is necessary because there is no reason for a flavored tobacco product to be marketed as 'cotton candy' or 'bubble gum' when loli-pops and jelly beans, which are always directed towards children, have upheld that flavor to be of innocent reputation.

A personal story due to tobacco products is that I have a strained relationship with my uncle who has been a smoker for years, ever since I've known him really. When our family tried giving him a fresh start here on Hawai'i, with a promise that he'd quit, it wasn't easy figuring out that he hadn't exactly dropped the addiction, especially since my brother is a severe asthmatic. Many of my friendly relationships have been stained with the knowledge that my friends had fallen for this flavored-death gimmick because of how my uncle shaped my viewpoint on tobacco products. One example is one friend of mine was having a difficult time that she turned to vapes for comfort. I've only seen her at her lowest right when I think she's looking up. She's been missing school as her relationship with family and friends are impacted as well.

I do not want to see any more of my peers, family members, or friends suffer from the tobacco industry. It's time for the state to trust these counties with the authority to regulate tobacco sales and so that no more youth are protected.

Jazmine
Waipahu

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Kaila'i a middle school student at Kamehameha Schools. I have seen that vaping is a problem in the community. For example I have seen family members smoke cigarettes and then transition to vaping. That has affected the person's mentality and the other people around them. Even when I was in elementary there were people who would vape and do that kinds of stuff and it would really effect their relationships. I think kids are easily influenced by some kids in their life because I have heard about people getting vapes and inviting people in the bathroom to vape with them. I think that if these vapes had no flavor nobody would buy them and that is why **I support HB380**. Maui, Honolulu, and Hawaii Counties have made rules to ban flavored tobacco to keep kids safe. Now, the state should give them the power to make these rules work and stop tobacco from hurting more people.

Kaila'i

Wailuku

Chair David Tarnas, Vice Chair Mahina Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I support HB380 because I know people that have become addicted to tobacco and have started with a flavored product. In response, this has caused them to become very moody. It has also affected them emotionally and with their relationships with others.

The way that companies have been able to target kids is through advertisements with flavors that attract kids. Kids have been victim to harmful tobacco marketing. It encourages youth to try flavors and menthol products because it masks the harsh flavor of tobacco.

A personal experience I want to share is my sister is currently or used to be an cigarette user. This has caused her to be very angry and short tempered. I am sure that vaping was a coping mechanism. This is not healthy and I hope she finds the help that she needs.

The counties of Maui, Honolulu, and Hawaii have already made the necessary decision to pass flavor bans, a step that is essential to protecting youth. The state must act now by restoring county authority to ensure that these laws are implemented and youth are kept safe.

Holly Taguma
Lihue

Chair David Tarnas
Vice Chair Mahina Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I support **HB380** because Maui, Honolulu, and Hawaii Counties have already banned flavored tobacco products to keep us safe. It's time for the state to give back the authority to actually implement those bans.

The reason I think we need the ban is because at my school, I see a lot of students who use nicotine almost daily. These are the type of students you see wanting to use the bathroom during class and they are skipping the period. I'm sure their grades are impacted by the way they choose to spend their time.

If we were to pass this bill, it would create a healthier world and allow students not to be corrupted or peer pressured. Just seeing those around me use tobacco products makes me feel uneasy... especially when it comes to second hand vape. I feel in danger just being around those who use it, even though I'm not the one using the product. Might as well start at the root of the problem and ban the use of flavored tobacco products by restoring county authority.

Kelsy K.
Kaneohe

Chair David Tarnas, Vice Chair Mahina Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I've seen that nicotine can cause a lot of my friends to become more short tempered and angry whenever they don't have their vape/cigarette. That is why I **support HB380** to restore county authority to regulate tobacco products.

It has affected my community. For example, a couple of my friends liked to vape/smoke and they were introduced to it by other influences such as their own friends or family. I'm unsure if they started with a flavored product but they're addiction had them always wanting to vape/smoke whenever they could.

I've also seen multiple people that are my age selling vapes and flavored tobacco products online or during school/letting people borrow their products.

The state should restore the authority to these counties so they can take action and actually protect our future.

Kimiyo
Ewa Beach

2/8/2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on
Judiciary and Hawaiian Affairs,

I support **HB380** because every single day I see people who are vaping or smoking every single day because of a simple problem that we have in this world. This problem started in the 1900's where adults would start smoking tobacco which contained nicotine, this became an influence to the next generation and further on until people were having problems with their health.

So people started to look for an alternative which started the creation of the vape. This was supposed to be a healthier alternative to smoking tobacco. But later in the future, vaping became a health hazard not a healthier alternative. Then adults would vape in front of their kids, which would make them interested, making the kids steal or even illegally buy vapes and try it. Now kids these days would just vape and try to hide them and not tell a trusted adult or someone about their problem but instead they get hooked to something that is the most lethal way to die.

I know a bunch of people who smoke or vape. I even have some people that are close to me who vape in the same car or room as me and I hate it with a passion and I want them to stop and throw the vape away. Others get peer-pressured to just try it once but this could ruin a life for good. This is probably the worst way to die or live, since if you have to, have a tube in your throat for someone to breathe.

Maui, Honolulu, and Hawaii Counties have already decided to ban flavored tobacco products to protect young people. It's time for the state to let them have the power to enforce these rules and make sure the law works.

Royce Takara
Honolulu

Chair Tarnas

Vice Chair Poepoe

Members of the Committee

I strongly believe that youth vaping must be stopped, that is why I **support HB380**. Think about it if a youth, someone like 15 or 16 years old, is vaping. That can lead to really bad consequences. Not only that, but vaping makes it harder for you to breathe too, which leads to worsened performance in sports. So many athletes have the talent and potential to excel in their sport, from football to basketball to track, but are held back by their vaping addiction.

I've seen the effects of nicotine addiction in my peers. Maui, Honolulu, and Hawaii Counties have done the right thing by passing flavor bans. Now, the state must allow these counties to enforce these rules, ensuring that us kids are protected from the harms of tobacco.

Derrick U.

Aiea

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

Smoking has really affected my family. My grandparents smoked for most of their lives, and it hurt their health. My dad, who was around them a lot, developed asthma. He had trouble breathing and needed medicine to help. This is one of the many effects of secondhand smoking. It has caused most of my family down the line to get asthma, like me. This is the reason that I **support HB380**, counties that have passed flavor bans, like Honolulu, can finally take action, using the authority restored by the state to protect us from the dangers of nicotine addiction.

Joshua M.
Honolulu

February 7, 2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I support HB360.

A personal experience with tobacco products is that my grandma started with vapes and she later on became addicted to cigarettes. Her addiction really impacts my family because overall the fact that she does it not only because it is unhealthy but it also affects everyone around her. In school, most students who vape here struggle with focus and concentration because of the nicotine cravings or withdrawal symptoms. It affects their participation in sports because most sports require drug tests. Tobacco products have also affected a friend I had completely. She started off with vapes and later non got addicted to hard core drugs like Xanax and I never saw her again.

I believe that flavored tobacco does target kids because they know kids would get addicted to flavors more easier than a adult would. Examples are the companies making like fruit flavors or bubblegum flavors which is stuff they know teens would love. I also think that it is very important that menthol flavors be included in the ban because it does not help what so ever, It only makes the addiction worse and harder to quit.

I support the counties being able to take action with that because flavored tobacco products are a huge factor in kids nicotine addiction. It's usually where they start and it only gets worse from there. Allowing all of these different counties to ban these products enables them to act quickly and help protect millions of different young people from the harmful effects of flavored tobacco.

Furthermore, I support the Youth Council's stance that youth penalties should not be included in tobacco regulation bills because it is very unfair in punishing minors instead of addressing the real issue which we all know is the tobacco companies that specifically target the young radios because they know they are easier to get at. Penalizing young people can just make the issue worse and overall can lead to even more harmful consequences and make them not want to seek help.

Destiny R.
Honolulu

Chair: Representative David Tarnas
Vice Chair: Representative Mahina Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 to restore county authority to regulate tobacco sales so that there are no other kids go through my close friends experience.

My close friend's experience:

I started vaping a few years ago, thinking it would be a safer alternative to smoking. At first, I enjoyed the variety of flavors and the idea that it didn't come with the same immediate "stinky" smell that cigarettes do. But looking back now, I wish I had never picked up a vape.

The first problem I noticed was the constant irritation in my throat. I didn't think much of it at first, but over time, it became harder to breathe, and I was coughing a lot more than I ever did when I smoked cigarettes. I began feeling short of breath just after doing simple things like walking up stairs or going for a run, which was a huge red flag. I also started noticing that my mouth felt dry and coated all the time.

Then, I began to experience chest tightness—like a dull pressure in my chest that just wouldn't go away. It wasn't painful, but it was unsettling. I even went to a doctor to get checked out, and that's when I learned that vaping could irritate the airways and even contribute to a condition known as popcorn lung, which is essentially scarring of the lungs from inhaling certain chemicals in vape juice. While I didn't have that yet, the possibility made me realize how serious the effects could be.

The scariest part, though, was when I started feeling this general sense of fatigue and dizziness after vaping. It was like my body was trying to tell me that something was off. I also started noticing that my sense of taste and smell wasn't as sharp as it used to be. I could barely taste food as well, and when I tried to exercise, I felt slower and more sluggish.

Eventually, I decided to quit, but it wasn't easy. I had become dependent on the nicotine in the vape, and quitting led to headaches, irritability, and trouble focusing for a while. The cravings were intense, and I realized just how much I had relied on it to cope with stress or to feel more social in certain situations. But after a few months of cutting back, I felt so much better. My breathing improved, the chest tightness disappeared, and I could taste food again.

In hindsight, I wish I had never started vaping in the first place. It's easy to get caught up in the idea that it's just harmless fun or that it's less dangerous than smoking, but over time, the effects really start to add up. If you're considering vaping or already doing it, I hope my experience serves as a wake-up call to reconsider the risks before it's too late.

Ammon
Mililani

Chair Tarnas

Vice Chair Poepoe

Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 and I hope you will too.

In 2019, my father was given 6 months to live. He was diagnosed with heart failure and his future was not looking bright. He had been smoking and vaping since he was a teen. With not many other options, he quit vaping in hopes to lengthen his time on Earth. Today, my father is still alive and well and has not turned back to vaping.

Based on my testimony, no other kids should be exposed to something like this. Please restore county authority so Maui, Honolulu, and Hawai'i County can work together to end the youth vaping epidemic.

Jolene

Ewa Beach

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Kanoa, and today I stand before you as someone who was personally affected with problems resulting from vaping. Growing up in this wonderful state, I have always taken great pride in our island community, the culture, and the way of life. But there's a silent, growing danger affecting many of our young people and even adults: vaping.

Living in Hawaii, we are gifted with clean air, breathtaking landscapes, and a strong sense of ohana-a connectedness to each other that is unlike anywhere else. Our islands are a sanctuary, and to see that vaping is quietly invading this peaceful lifestyle pains me. Vaping may appear harmless, but as I have learned, it is anything but.

Like many, I started vaping under the impression it would be a much more harmless alternative to smoking. It didn't take long for me to realize just how wrong that was-how unhealthy and addictive it would be. The thought of inhaling chemicals, flavored or otherwise, might seem innocuous to one, but it's burning our lungs, our health, and our communities down around us.

Hawai'i is a place that cares deeply about our environment, our future, and our children. Vaping is poisoning not only our health but also the air that we breathe. It is a problem that continues to grow and is not affecting just those who vape but everybody around them. And if we don't take a stand now, we are putting in jeopardy the future of our people and our islands.

We must act now to protect the youth of Hawaii from this dangerous trend. Vaping is marketed as a fun, trendy activity, but the reality is that it leads to addiction, health issues, and it creates a false sense of security about nicotine consumption. What starts as a harmless puff can easily spiral into a lifelong struggle with addiction.

Hawaii has long been a leader in health and wellness for its residents. Let's continue that tradition by standing together against vaping. We owe it to our children, our families, and our beautiful islands to take this step toward a healthier future.

Please join me in supporting efforts to stop the spread of vaping in Hawaii and to protect the health of our people by passing HB380 and restore county authority to regulate tobacco sales. Mahalo.

Kanoa
Honolulu

Chair David Tarnas
Vice Chair Mahina Poepoe
Members of the Committee on Judiciary and Hawaiian
Affairs

I support HB380 in the effort to restore county authority to regulate tobacco sales and reduce youth vaping because some of my friends and family smoke. Most of them started with a flavored product like my brother. His addiction has impacted him to be more short tempered, more stressed, and he tends to sleep less. Many of the tobacco companies have targetes us by making ads pop up on tiktok or insta.

Nazaria Kahinu

Kaunakakai

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on
Judiciary and Hawaiian Affairs,

I support and believe HB380 is a vital step in protecting youth from vaping
by returning tobacco regulation authority to counties.

I was always aware that tobacco use my age was a huge problem. It never
really hit home, until my best friend from elementary school started getting
involved in a lot of tobacco products. From when she started, the impact
vapes had on her was very visible. Her personality changed, she was
strongly addicted, and wouldn't ever leave places without it. She kept on
edging me on trying it, but nothing I said would make her stop trying to
convince me. Because of this, I was tired and she was putting our friendship
at risk. I tried my best to stop it, but I didn't want to be surrounded with
that influence so I dropped our friendship of almost 9 years. A lot of the
people I'm closet to still to it to this day my cousin being one of them. She's
heavily into the use of vapes, and as of a number of years ago, she went into
the hospital. She was using vapes so much it impacted her appetite, and she
didn't end up eating for a long time. This caused her to drop a huge
unhealthy amount of weight and had to be imported into the hospital for it.
She's okay now, but I never realized how much I'm surrounded by this
problem of tobacco use.

Haley

Honolulu

Chair David Tarnas, Vice Chair Mahina Poepoe, and Members of the Committee

I **support HB380** because vaping and smoking has caused many problems in our community. It causes more deaths than car crashes, homicides, and other deaths. Vaping companies targets young people to purchase their items because it is easier for the companies to sell it to them. This is a problem because even kids as young as third to fourth grade has been caught vaping. The biggest problem is within high schoolers, because they think it will help cause their problems. Like school, stress relief and so much more. Vaping causes stress, mood swings, and memory loss, which is a big problem because when we lose those things we also lose our sense of self. I stand with HB380 as it seeks to prevent youth vaping by giving counties more control over tobacco sales.

E'kela Suan

Ewa Beach

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

My name is Kekahupono Kong, and I am testifying today **in support of HB380** to increase measures to reduce and eventually end tobacco use here in Hawaii. As a caring resident who takes the health and future of our islands seriously, I urge your immediate and necessary action to take care of and protect our community, especially the keiki (children) and our kupuna (elders), from tobacco's harms.

Tobacco use continues to be among the leading preventable causes of death and disease in Hawaii, causing lung cancer, heart disease, stroke, and a host of other chronic conditions that take an overwhelming toll on individuals, families, and our healthcare system. Anti-smoking campaigns and other efforts over the years have raised awareness and cut smoking rates, but tobacco products-menthol cigarettes and e-cigarettes-particularly target the most vulnerable members of our society, including our youth.

I have seen the devastation that tobacco addiction can cause in individuals and families. It is not only the smoker who suffers but also everybody exposed to secondhand smoke-from the youngest child to the elderly-who are then placed at risk for many health problems. We cannot afford to ignore the impact that tobacco has on the overall well-being of our community.

Hawaii has always taken pride in being one of those states that truly take care of the health and wellbeing of its residents. From banning smoking in public areas to implementing a tobacco-free campus, Hawaii has led by example in the fight against diseases caused by tobacco. But we can do more. We can keep pushing the pace, from tougher regulations to higher tobacco taxes, better access to proven cessation programs that help people quit for good.

I urge you to take bold and concrete action in making Hawaii a continuing good place for people to live long and healthy lives. Let's make our state tobacco-free, one where our children and future generations can breathe in clean air, without the notion of continuous fear regarding illnesses caused by tobacco, and grow up in a community concerned with their health and safety.

Thank you for your time, your consideration, and your commitment to creating a healthier, tobacco-free future for all Hawaiians. HB380 is a vital piece of legislation that will give counties like Maui, Honolulu, and Hawaii the ability to regulate tobacco sales more effectively, building on their efforts with flavor bans to fight youth vaping.

Mahalo,
Kekahupono Kong
Mililani

Chair Tarnas
Vice Chair Poepoe
Members of the Committee

I support HB380 because it would allow counties like Maui, Honolulu, and Hawaii to expand their efforts to curb youth vaping by regulating tobacco sales more effectively.

I know many people that have become addicted to vapes from flavored products. How it impacted other people is that they have lots of mood swings and just have been acting differently. I see that they also fall asleep in class all the time. Also they are not focused in class or anything for that matter.

The tobacco industry is marketing to kids because we see flavors like strawberry, grape, chocolate thinking its just like candy and that it won't impact them in any way. Why it is important is because it's the gateway of starting vaping and just getting the feel of it and then getting into many other products.

Thea Lazaro
Ewa Beach

Chair Representative Tarnas

Vice Chair Representative Poepoe

Members of the Committee on Judiciary and Hawaiian Affairs

I **support HB380** to help end the youth vaping seen in the community.

This has affected me because my older sister vapes, I am not sure when she started, but it was probably back when she was in high school. She uses a flavored one. She has been more distant from me and my family and she has been wanting to go out all the time, sometimes not coming back for more than a day. I believe more flavored products are targeting kids because I have not seen my sister or the people I know who vape without a flavored bar.

I also see that students' grades are dropping and students are not focused in school, they do not come to school to learn anymore. Most of the people I know that vape do not really play sports anymore, or quit the sport they played. Their relationships with their families I am not aware of, but they are more close with the people who influenced them to vape.

It is important to ban these products because it is killing people, it is affecting our relationships with people, and our education is decreasing. I support HB380 because it will help counties like Maui, Honolulu, and Hawaii combat youth vaping by restoring their ability to regulate tobacco sales more comprehensively.

Avalee

Ewa Beach

Chair Tarnas, Vice Chair Poepoe and Members of the Committee,

I support HB380 because it will restore local power to counties like Maui, Honolulu, and Hawaii, enabling them to take stronger actions against youth vaping in addition to their existing flavor bans.

It's a growing concern in Hawaii, seeing that flavored vapes are designed to attract younger users. Flavors such as mango, strawberry, and cotton candy are especially alluring to teenagers, making their addiction to the habit much easier. A survey conducted showed 18.7% percent of Hawaii high school students say they used an e-cigarette, and the majority of youth users reported using a flavored product. This trend is also alarming because, with such ways of marketing for these products directly targeting kids, it makes trying to avoid the addiction to nicotine even more difficult.

Nicotine exposure in these ages has long-lasting effects, especially on developing brains. With the prevalence of teen e-cigarette usage in Hawaii, it is a measure to reduce the death toll. In fact, every 6 seconds, somebody dies from a smoking-related disease in the world. Research also has found that young people who vape are more likely to smoke cigarettes as they get older, leading to other risks for them later in their lives. This will protect the youth of Hawaii from these products and prevent health problems and addiction in the future.

Kaua AQUI

Kapālama

Chair Tarnas, Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I **support HB380** because it will restore county authority to regulate tobacco sales, giving counties like Maui, Honolulu, and Hawaii the tools they need to tackle the youth vaping epidemic effectively.

When I was in high school, I watched one of my closest friends struggle with a vaping addiction. It started as something small—just trying flavors with friends—but quickly turned into something they couldn't stop. They would get anxious and irritable without their vape, sneaking hits between classes and even spending money meant for other things just to keep buying pods.

What was most heartbreaking was how hard it was for them to quit. They tried multiple times, but the addiction was stronger than they expected. Schools talk about the dangers of vaping, but so many students still fall into the trap because of the appealing flavors and easy access. If flavored tobacco products weren't available, I truly believe my friend might never have started.

This is why I support banning flavored tobacco and focusing on prevention rather than punishing youth. We need to hold the tobacco industry accountable for targeting young people and ensure that future generations don't go through the same struggle. This includes banning menthol. Menthol masks tobacco's harshness, making it more addictive and appealing, especially to youth and marginalized groups. Banning it helps reduce smoking rates, prevent addiction, and save lives.

Ryley Oming

Pearl City

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee

I **strongly support HB380**, which will allow counties to better regulate tobacco sales and reduce youth vaping. People that I knew are smokers and due to this I am no longer friends with them. They were hooked and it is genuinely a gross and much overlooked and accepted habit. I had a friend and we had a sleepover and the whole time I was there she was vaping near feet from me and did not peer pressure me into trying but she would hide her vape in a stuffed animal she had ripped open and this made me automatically leave.

Also, youth penalties should not be included in tobacco regulation bills because they change the blame to young people instead of holding the tobacco industry accountable. These measures discourage youth from seeking help for addiction and disproportionately impact marginalized communities. A public health approach focused on education, prevention, and cessation support is more effective in reducing youth tobacco use.

Pueoonamakaokahai

Haleiwa

Chair David Tarnas, Vice Chair Mahina Poepoe, and Members of the
Committee on Judiciary and Hawaiian Affairs

I support HB380 because it will restore local power to counties like Maui, Honolulu, and Hawaii, enabling them to take action and prevention against youth vaping.

Someone I care about is addicted to tobacco products, specifically cigarettes. He's been smoking at least 2 a day since I remember, and although he's getting better now, me and all of my cousins can remember the smell of smoke that always lingers in his truck. Menthol has to be included because the person I care about has been addicted for all these years to menthol. They made him feel safe and healthy while smoking, even as he destroyed his own lungs and robbed us of years of his life. Some of the side effects that I have seen due to vaping are a lot of people who get a lot moodier, angrier, and more desperate because of their addiction, especially when they're looking for where to get their next hit.

Unfortunately, flavored products target kids. My cousin, for instance, started vaping because there was a cotton candy flavor, and before they knew it they were addicted. Now, they're way more stressed, way more sickly, and they're always worried about hiding it from their parents. Youth are the victims here, being targeted by evil companies who only want to profit from keeping kids addicted. Giving us harsher penalties will only push us away, and will discourage those who are addicted to seek help.

Kamakoa Kaluhiwa
Kāne'ōhe

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I **support HB380** because it would allow counties like Maui, Honolulu, and Hawaii to expand their efforts to curb youth vaping by regulating tobacco sales more effectively.

As someone concerned about public health, I believe that flavored nicotine products, including e-cigarettes and vapes poses risks to children and should be banned. These products are marketed in flavors such as cotton candy, fruit punch, and bubblegum, used to lure young people. These flavors make it more appealing , particularly for children who may not yet grasp the dangers of nicotine addiction.

Nicotine is an extremely addictive substance that carries serious health risks. Research indicates that young kids are more likely to be addicted, and exposure to nicotine can have bad effects to the body. By allowing easy access to flavored nicotine products, we risk many people that may struggle with lifelong nicotine addiction.

Kekuaokalani Paik

Kāne'ōhe

Chair
Vice Chair
Members of the Committee

Some people that I know that are involved in sports use vapes. They all use flavored products and they always are doing it in secret, I always see them but they are so addicted it is hard to go against them. They talk about getting caught and seem very anxious and twitchy. It is not considered "cool" to smoke tobacco, but when it is Guava Ice, or Blueberry Faygo, all of a sudden, it is the new best thing. My friends or people I know in the locker room brag about a new flavor every week.

A guy in the locker room got caught by security. He was on varsity and he is a really impactful player, getting caught is the worst thing that could happen to him and his team. Kids should not be ruining their life because they are the ones that are being intentionally targeted by flavors. They are kids. I don't want my future daughter, son, nephew, niece to get addicted to flavors. I support HB380 to give counties authority to regulate tobacco, there is a problem and it should be addressed.

Justice Slade
Waimanalo

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs,

I'm here to express my deep concerns about the continued availability of fruity juice and menthol vape flavors. While these products are often promoted as a safer alternative to traditional smoking, they pose a significant risk to our youth. The sweet, candy-like flavors are intentionally designed to attract young people, and it's clear that they have become a gateway for nicotine addiction among minors.

The fruity and menthol flavors make these products far more appealing to children and teenagers who may not fully understand the long-term health consequences of nicotine use. These products may seem harmless, but they carry serious risks of addiction that can affect a young person's health and future.

The availability of these flavored vapes is a growing problem, and it's crucial that we take action now to prevent further harm. Many young people who would never have considered smoking are now using vapes because they are drawn to the sweet flavors. This isn't just about personal choice—it's about protecting the health of future generations.

I, as a highschool student, know people that have used vapes, and I know how they get it. I also know how they have changed after using it and it's honestly sad seeing how much my friends change over the past few years. This is a real issue like anything else and it should stop.

Mahalo,
Lulu

Chair Tarnas
Vice Chair Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 for efforts in Maui, Honolulu, and Hawaii counties as they work to address youth vaping by restoring their authority to regulate tobacco sales! In middle school, my friend said she started because her friend asked her to try it. After trying it once she found herself constantly meeting people in the bathroom so she could try again. It felt really weird to her and it burned, but it was so addicting that she could not stop. She kept meeting with the same people in the same bathroom in order to try it again.

I see everyone constantly using nicotine in order to feel happier or in order to just get through the day without having to deal with it themselves. I definitely feel as if this affects their ability to perform at their highest capacity because of the limiting effects of nicotine. Since students are young, they don't have the ability to make informed decisions, so they start to learn that vaping or ingesting nicotine is the only way they can be happy, which is completely incorrect.

I personally don't use or have ever used vape or any tobacco products, however a lot of the ones around me vape a lot and they tell me how it impacts and affects their schoolwork and how they think on a daily basis. One of my friends would act out of line and irrational and blame it on the fact that he was addicted. Additionally, some of my friends would offer it to me because they believed that everyone should get addicted eventually. This is probably how the use of tobacco spreads throughout high schoolers.

Kai Suliven
Ewa

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I am a soccer player and I have seen several of my teammates struggle with an addiction to vaping. Unfortunately, most of these people are still addicted to this day. Some of my teammates will joke about their favorite flavors and compare them to real food that we eat. This has affected others because my teammates have encouraged and influenced others to start. I've noticed that my teammates who do have a vaping addiction tend to be more out of shape, and easily tired throughout games or practices. A good teammate of mine recently began vaping after quitting for a year. Last season was the first time that I had played with her. We were always first together on our runs and were known as the most in shape. This season, I've noticed that she has fallen behind and is no longer in the front when we do conditioning. I believe this is caused by vaping. Because some of my teammates vape, I try my best to not surround myself with them outside of my sport. This past year, I was in Big Island for a soccer tournament with my team. When we returned home from a game, myself and two of my teammates were hanging out in a guest house alone. One of my teammates pulled out her vape and they both began using it. They began peer pressuring me into using it. I pushed them away and said "No, do not ever ask me again". I knew that even if I wasn't smoking it myself, being around the smoke was just as bad.

My peers have been using flavored tobacco that is why I believe that tobacco flavored products are targeting kids. I have seen small pop ups at the mall where young adults are selling vapes that are packaged like toys and candy. I also think that menthol products should be included in the ban because if it is not, tobacco addictions will not decrease. Please **support HB380** and give the counties authority to regulate tobacco products. People need to address this problem that we are seeing everywhere.

Shelby Aoki

Ewa Beach

Chair Tarnas

Vice Chair Poepoe

Members of the Committee on Judiciary and Hawaiian Affairs

I **support HB380** because I see some kids at my school doing it, and it impacts my community. It makes it awkward when you see someone doing it but you don't wanna be a snitch and tell on them. I think it affects their academics because instead of going to class and learning, they are in the bathroom with their friends vaping. I think it also affects their sports and activities because they could become unmotivated and find comfort in their vape. Lastly, I think it does impact their relationships with the people in their life because it can change the way they act and cause them to push away and not wanna be around others.

I think flavored products definitely do target kids because kids are attracted to sweets and the fruity flavors so it makes them more intrigued to try it. For example, flavors like blue raspberry or cotton candy they're gonna think like sweets or candy which makes them tempted.

Seeing the stories of others around the world and also seeing people in my own life that mean a lot to me partake in these things makes me sad because you know it's only doing bad things to them and that if they keep doing it, they are only gonna get worse and worse until they die. I think the biggest thing for me that makes me stay away is imagining if it was my own kid.

Please restore county authority in order for them to regulate tobacco products.

Maya Akau

Kailua, Kona

Chair David Tarnas
Vice Chair Mahina Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 because vaping is a big, overtaking problem in our lives today, and will probably get worse if we don't stop it as soon as possible. I've seen my friends slowly drift away from their old-selves and get addicted towards vaping. They've been skipping their sport practices and hanging with the wrong types of people. I've also seen their mental health decrease as well. Many kids in my school that I know are involved with nicotine suffer in their academics. They usually get bad grades and slack off. I've noticed that they usually have no energy for sports anymore and keep to themselves. They use flavors that we grew up with. For example, Hawaiian Pog, Aloha Sun, and other Hawai'i oriented flavors have impacted students that I personally know.

Please restore the ability for counties to regulate tobacco products. Maui, Hawaii, and Honolulu Counties have passed laws banning flavored tobacco sales, and we think it's time to implement them.

Antelise Porter

Captain Cook , Hawai'i

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380.

My friend from my old school on Big Island first started vaping in sixth grade and throughout the rest of the time we were there he continued to do it, always saying that he was gonna stop and that he wasn't doing it anymore but he was. He would always say how he could feel his lungs hurting while at soccer practice because of the vape. My first time I got offered a vape was when I was in fifth grade. Luckily, I said that I didn't want to do it and didn't get pressured into trying it but that experience has stuck with me since. It makes me wonder where I would be if I had taken a hit that day and gotten addicted. Where would my life be like right now if I started vaping that day?

I think that counties should be able to regulate tobacco sales so that they can look out for their people rather than the state who might not have everyone's best interests in mind.

Kainoa Keliipio

Kealakekua, HI

Chair, Vice Chair, and Members of the Committee,

I support HB380 because in middle school I would say about 70% of my friends used vapes. They would talk about the flavors that they had such as fruit flavors or juices and to them they talked about it as if it was some type of candy. By them talking about the flavors they were vaping it caught the interest of others who wanted to try it and ended up becoming addicted to vaping. Nicotine impacted the way that they operated. It made their grades drop, their emotions to become jumpy in a way, and they didn't like participating in the things that they normally loved doing.

I believe that flavored tobacco products are targeting kids because of the flavors they are selling. If you truly think about it, cotton candy, fruit punch, and more all attract the youth more than it would with adults. Kids see a flavor that they are used to and they think that it's not as bad because they know how it tastes already, leading them to keep buying more and more which eventually leads to them becoming addicted. I also think that youth penalties shouldn't be included because it would only cause youth to become more sneaky and find other alternatives to counter that.

I urge you to restore county authority over tobacco regulations. Maui, Hawaii, and Honolulu Counties have taken steps to end flavored tobacco sales, and I'd like to see those efforts move forward.

Alea Bishop
Kapolei

Chair Tarnas
Chair Poepoe
Members of the Committee

I **support HB380** and ask that county authority be restored to regulate tobacco products. Maui County, Hawaii County, and Honolulu County have already passed bills to stop the sale of flavored tobacco, and we'd love to see these laws put into action.

Flavors are targeting kids, because I have never seen an adult smoke a cotton candy vape before and that is what the kids smoke. I support HB380 because I want some of my friends I lost to vaping back

Kekona Bactad-Barretto

Kapa'a

Chair, Vice Chair, and Members of the Committee on Judiciary and
Hawaiian Affairs,

I **support HB 380**, please allow counties to once again regulate tobacco products. Maui, Hawaii, and Honolulu Counties have already passed measures to ban flavored tobacco sales, and it's time to put those changes into effect so that less people are exposed to tobacco, specifically young people. Tobacco companies target youth because bright packages draw youth attention. AND it is not their fault when you're a teen it's easier to just do things and agree with people because your frontal lobe is not fully developed. There should not be a punishment for the youth because it's the society that is influencing us.

Kulia Cabrera-Zuke

Honolulu

Committee on Judiciary and Hawaiian Affairs,

I support HB380 that helps the counties able to take action like ending the sale of flavored tobacco products in their communities.

AJ Vasper

Kapolei

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 to restore the right for counties to regulate tobacco products. Maui, Hawaii, and Honolulu Counties have enacted bills to stop the sale of flavored tobacco, and we want to see those changes take place.

I believe flavored tobacco is targeting kids, companies try to entice kids with flavors they know well and enjoy. Kids get hooked on the product because of the flavors. It is important because that would be the only way kids would stop using products. If you got rid of the flavors then kids would not enjoy it anymore and they would stop. I know kids that had an addiction to tobacco products and it has affected their whole family. Their families have tried to help and do all that they can. It has definitely brought some families farther apart.

Lia Peterson

Honolulu

Chair, Vice Chair, and Members,

I support HB380 and efforts to restore the authority for counties to regulate tobacco. Maui, Hawaii, and Honolulu Counties have passed legislation to stop flavored tobacco sales, and we'd like to see those laws put into effect.

I know people who vape. I have seen how it affects how they look, how they talk, their attitude, and just their outward appearance. I have heard people say that it can make things worse with their relationships and academics. I've also seen people on the sidewalks smoking and they look grumpy. We should get rid of these nasty habits and have a tobacco free generation.

N/A

Chair David Tarnas, Vice Chair Poepoe, and Members of the Committee Judiciary and
Hawaiian Affairs

I support HB380 because I think that the flavored tobacco products are targeted to kids. I think this because they package and sell very bright and good sounding flavors such as strawberry watermelon and so on. Menthol is another one of the big reasons people get addicted to tobacco products because it makes vaping and smoking easier on your throat even though it has the same side effects.

We strongly urge you to restore county authority over tobacco regulation. Maui, Hawaii, and Honolulu Counties have already passed bills to eliminate flavored tobacco sales, and we would like to see them implemented

Tayvien Garcia

Waimanalo

Chair Tarnas
Vice Chair Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 to restore county authority to regulate tobacco products because I think minors using tobacco products is a problem in our community and we should be able to prevent it. If our own leaders won't stop this horrible thing, why shouldn't we?

I know a few people who vape. They started with a flavored product and still use flavored products. I think their addictions make them more dependent on these things to make them happy. When they can't have them, they're constantly thinking about vaping and talking about it whether it be to me or posting it on social media. I think their mental health isn't as good either, which is also because of things outside of vaping but can be because of the nicotine/chemicals. From what I've heard it can definitely make their time at school worse due to things like detention or suspension. These can lead to not being able to do sports, or even getting kicked out of school which would go on their record and possibly make things harder for them in the future. Also, I would think the nicotine would mess with their ability to think clearly, which would probably affect how they work in school. It doesn't really affect their friendships, since most of them are doing it too, but they're families usually don't know and I think that if they did it might change how much the kid used it.

I believe flavored tobacco products are targeted to kids. I think that adults would be fine with just the regular tobacco taste and the fact that the flavors they put out are definitely more of things like candy or juice instead or more adult things, they're trying to get kids lured into wanting to try a vape. A lot of the flavors are foods/drinks that many children enjoy rather than adults and I know a lot of kids who have said they wanted to try a vape because of the flavor it had. It's important to me because it's honestly sad seeing kids that I know and are my age ruining their life in a way because they want to "be cool" or just because they wanted to try it. The flavors are definitely a main reason some kids are getting hooked onto vapes and tobacco products so I hope this ban will at least lessen the amount of kids my age and maybe even younger from wanting to try smoking.

My best friend used to vape and I feel like it changed her a bit. We weren't as close at the time she was doing (she has stopped since then) but from what I would here she was a lot meaner to others and kind of relied on it to make her happy. I don't know exactly why she did it; I think it was to gain attention and look cool to others. I'm glad she realized the harmful effects of these things but she's now one month clean of not doing any of that.

The youth wouldn't be using these products in the first place if our government would stop making it able for companies to target them. No amount of money is worth children using these products and ruining their health and potential to grow. Giving youth penalties would just be cruel, as if them using these products wasn't harmful enough. If they really wanted to make a difference they would stop letting kids buy these products in the first place. Instead of thinking about penalties to give the kids, maybe they should work on redoing their marketing so that children wouldn't want to buy these products at all.

Kaila Biolos
Aiea

**Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on
Judiciary and Hawaiian Affairs,**

I completely support HB380 and the ability of counties to take action against flavored tobacco products. Removing the masks of harsh chemicals like nicotine and menthol is vital to showing what these products actually are, and is key to improving public health because the citizens of Hawai'i will no longer be fooled from false marketing that threaten their health.

I strongly believe that the marketing that these companies use are intended to get kids addicted. The local flavors we all know and love are being pasted on deadly chemicals that damage the bodies of adolescence and change their behavior. Although I have not had a first hand account with tobacco products are know someone close to me that are using, I am concerned for our lāhui and want to work to prevent the 1,400 deaths per year due to tobacco use in our islands, especially amongst keiki.

Furthermore, menthol makes consuming tobacco easier and pleasant. The chemical makes the air cool and light, making addiction more dangerous because it is harder to quit a pleasing substance. Menthol makes up ~80% of the tobacco products used by Native Hawaiians, this is concerning because our lāhui is less likely to quit with menthol.

It is not youth that should be penalized for the intentional false marketing made by tobacco companies, their intentions are out of greed and the youth of Hawai'i should be protected by the State of Hawai'i. Kids don't know of the 2000 chemicals and more than 30 carcinogens that they are putting into their bodies. Education is one part of this journey, but we need the support of our government to enforce bills that penalize tobacco companies, and that restrict their influence on youth. The keiki of our state need their government to protect them with the authority they have, and do their job in improving the public health of our state.

'Ānelalani

Honolulu

Chair Rep. Tarnas
Vice Chair Rep. Poepoe
Members of the Committee on Judiciary and Hawaiian Affairs

I support HB380 to restore county authority to regulate tobacco. Here is why:

I have had countless friends, especially on big island become addicted to vaping. Even most of my family members, some of my kumu and more. Its become so normalized throughout the public and without much talk about the effects. They did start with a flavored product and it was vapes. Their addiction made them "fein" for vapes all the time, got them in trouble at school and even uncontrollable coughing.

In my new school, girls will share their vapes but it started drama where girls would snitch on each other to get back at someone they're mad at. Many of my friends had almost gotten kicked out of this school because of dumb decisions like vaping. Getting kicked off their volleyball team after getting warning but getting yelled at instead of getting help. Another one of my friends got kicked out of his house and lived at his friends house because he chose smoking over family. He couldn't manage to quit.

I believe flavored tobacco products are targeting kids. Around parties I always see the babys reaching for the colored vapes or lost Mary's. Especially making the vapes look less intimidating than they are by making them sound like a cool drink. It makes you think "Oh it can be that bad, vapes are just harmless flavored air like juice." Then you consider it, try it, and get hooked.

I know most of my friends only smoke for the flavors and taste. If the flavors are banned it would save their life. They'd almost guarantee quit and save so much money and not be couging all the time like how they do. My friends do want help and they've asked me but its hard when these companies make it so easy to get hooked with these flavors everyone loves. if they could only taste the true toxins in vapes they'd never hit one again. I love my friends and I want them to live a long happy life I dont want to be at there funeral earlier than I have to be because of a dumb preventable mistake that could have been prevented.

Im confident in myself and know vaping is wrong but there were a couple times where I've considered trying it. Thinking it couldn't be that bad for me and nobody would ever know. Almost every day at my old school I'd get asked if I wanted to hit their vape, and it was hard because I was the only one in my friend group who didn't do it and honestly it was tempting at times. People have called me names for not vaping and blown their smoke in my face trying to get me to do it or buy vapes from them. Plus it so easy to get I could ask any of my friends from big island to hit their vape, someone could buy it for me, or there are kids who supply vapes and make so much money off it.

As a kid its hard to surpass things like peer pressure. Kids don't stand on their ethics and morals because they don't know who they are as people. Sure they've made bad decisions but they need help not punishment. Support from lawmakers is needed to create a happy life.

Malia

Kona

Chair, Vice Chair, and Members of the Committee,

I support HB380 and the abilities of the county to regulate tobacco. Ending the sale of flavor tobacco on the local level will decline the rate of vapes in kids. It is important to me that menthol flavors be included in the ban for both e-cigarettes and other tobacco products because then percentage of teens dying from tobacco will go down because I feel teens only buy it because of the menthol and flavors.

John Hayashida

Kapolei

Chair Tarnas, Vice Chair Poepoe, and Members of the
Committee on Judiciary and Hawaiian Affairs

I **support HB380** and the counties being able to take action.

I have seen the effects of vaping, it affects people mentally
and they become depressed and unstable. The motivation for
doing it comes from the flavors. We need to address this
problem.

Callie Onishi

Kāneʻohe

Representative Tarnas, Representative Poepoe, and Members of the Committee,

I support HB380 to restore county authority to counties. Nicotine addiction has affected students at my school and I know that it causes so much damage to your life and well-being.

One of my friends was addicted to vaping and I am not sure if she quit. She uses flavored products and honestly it was really scary to be around her when she was vaping. She would cry without realizing it and start to act delirious, then all of a sudden fall asleep. At first, I didn't know why she was acting this way but when I found out it was due to vaping, I was really concerned for her safety.

I think that it is unacceptable that the tobacco industry targets kids while knowing that it can cause so much harm to their development and lives. Get rid of flavors, it is damaging my generation.

Chloe Colandrea

Mililani

*Chair David Tarnas, Vice Chair Mahina Poepoe and Members
of the Committee,*

*Our native language is dying, we are losing a lot of native
Hawaiians to menthol tobacco and flavors because of the
deceiving taste. I support HB380 because when I'm an adult
I don't want my kids to be lured with weird flavors. Restore
county authority!*

*Iraia Manumaleuna
Honolulu*

Chair, Vice Chair, and Members of the Committee,

I support HB380 to restore county authority because if you look at the flavoring at a bunch of the vapes they're all fruity, and kid-based packages. We need to protect keiki not give them tobacco.

Some of my old friends used to vape. We were in 8th grade, though they started around 6th or 7th. They started with flavored products. They became a lot more distant, and a bit more crazy. I noticed I had to drop many of my friends because they kept trying to pressure me to start vaping with them. This should not be happening and adding more stress to our lives, we need to fix this problem.

Layla Burgess

Waianae

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

I **support HB380** to give authority to the counties to regulate tobacco. There needs to be some county regulation of tobacco products, it is out of control. I've seen tobacco impact kids mental states as in anxiety, anger, sadness, etc. I feel like it tends to affect their grades too because they tend to mainly want to smoke and don't feel the need to do work, making them distracted. From sports friends and family too.

Alohaonālanī Grabow
Pearl City

Members of the Committee on Judiciary and Hawaiian
Affairs

I support HB380 because I know people who have become addicted with smoking and they all started with a flavored vape. Give the counties authority to regulate tobacco.

Luveahlani Lacaden
Kapaa

Chair Tarnas

Vice Chair Poepoe

Members of the Committee

My name is Danielle Rego and I am from Waipahu and I support HB380 because it is a step forward to stop youth vaping. It gives counties the ability to make rules about tobacco sales, just like Maui, Honolulu, and Hawaii County have done. This will help keep our youth safe. A majority of my friends from Waipahu are addicted and can't "live" without their vape. One of my closest friends has started vaping since she was 11 (2020) and hasn't been able to go 2 days without it since. I'm afraid for her health and future. Kids fiend for nicotine. Flavored nicotine products will kill this generation.

Danielle

Waipahu

To: Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

I'm in support of HB380. HB380 is needed to help prevent youth vaping. By restoring county authority over tobacco sales, we can give counties like Maui, Honolulu, and Hawaii County the power to protect kids and regulate tobacco. Flavor tobacco affects primarily kids because there's many commercials and these products are packaged in colorful ways and advertisements to target the young youth.

Ahlexia Valdez

Wai'anae

February, 2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and
Hawaiian Affairs

I am in strong support of HB380. I am a Maui student in high school, and I have seen many older kids vape in the bathroom or in the hallways outside class. I've even seen this in kids younger than me, which is even more concerning.

I think it is important to ban flavors because that's what gets us addicted. I've personally heard my friends talk about vape flavors and which flavors they love the most.

Even though our government has done some things to stop young people from smoking, they still need to stop the people who are selling vapes to us kids. Please ban flavors so the people selling them to us have to stop.

Talia David

Wailuku, Maui

Feb 7, 2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on
Judiciary and Hawaiian Affairs

I've seen a lot of teens on tiktok getting hospitalized due to high intakes of nicotine. Because of how vapes are commercialized and the fun flavors being released, teens are interested and get addicted without knowing the consequences until it's too late and something happens.

That's why I support HB380. Action must be taken to prevent anymore teens getting really sick or dying from vaping. Please pass HB380 and keep us safe.

Christiane Ernestine Almosara
Aiea, Hawaii

February 6, 2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

My mom told me a story about someone she knew who would vape and they were trying to charge the device while holding it in their pocket. Since it was in their pocket the combined heat generated from body heat, the device, and the pants rubbing on the device caused it to explode in his pocket. This left him with a mark that was maybe the size of a silver dollar on his leg. Since then, I knew that vaping was dangerous.

Besides physical danger, vaping is also very harmful to our health. Nicotine addiction is affecting students at my school by giving them weaker lungs. They aren't able to run as long as they would be which cuts their potential drastically. Menthol makes it so that the inhales are deeper. This means that the exposure to the vape chemicals is longer and therefore has more effect on the person. This just gives them prolonged exposure to the tobacco and whatever else may be in it.

There are some people that I know who have become addicted to vaping. It started with a flavored product due to the fact that it was everywhere in intermediate school. Their addiction impacted others because it made them think it was cool and they wanted to fit in and so others got addicted to it too. I also believe that it affects their relationships with family and friends because it makes them have to hide things from their parents. And if their friends aren't into vaping then the person might go and hang out with people who are into it.

Therefore, it is important for our government to ban flavors in vapes. Additionally, I feel that it would be a good thing for the county to be able to do this. Just because the state doesn't want to do it, how come the county cannot? That's why I support HB380.

I also believe that youth penalties should not be included due to the fact that there are a lot of youth that do not have jobs, nor are they the legal age to go to prison. So I believe that the penalty should be put onto the parents in order to show the child that their actions can affect other people besides themselves. I think it should especially be the parents because it would be someone they see everyday and someone close to them as well.

Davon Dickerson
Aiea, Hawaii

Feb. 7, 2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

Youth penalties should not be included in any bills because young people are still in a process of development, both emotionally and cognitively. Penalizing youth in legislation can lead to long term negative consequences, these can include stigmatization and limited opportunities for rehabilitation.

Instead of focusing on punitive measures, we should make sure to prioritize education, support, and alternatives that help young individuals learn from their mistakes and grow rather than just punish them. By not including harsh penalties, we can foster a more inclusive and forgiving society that offers second chances and believes in the potential of our youth in Hawaii.

Please pass HB380 and restore county authority to regulate tobacco sales.

Estrella Valenzuela
Aiea, Hawaii

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on
Judiciary and Hawaiian Affairs

The issue is crystal clear: vaping is terrible and it has to stop.

I see a lot of Hawaii kids vaping and it really hurts their health.
Lawmakers need to help by taking away the factors that cause kids
to vape: flavors and easy access. By banning flavored vapes and
stopping the hundreds of shops from selling them, kids will stop
vaping.

Therefore, I strongly support HB380, which will enable the counties
who passed these laws to finally to do so.

Thank you for the opportunity to testify.

Cole Kusumoto
Honolulu, Hawaii

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

I see vaping everywhere in my school and community. It makes me upset to see the impact that vapes have on my peers. I notice that many of them struggle academically, and those that were partaking in sports have stopped. There are tangible impacts on their health and intellect, and it is extremely concerning.

Furthermore, I've noticed that many of my peers use flavored vape products. I have seen soda and juice flavors, which are obviously appealing to youth. Menthol has been around forever, and, in addition to these artificial flavors, it makes it very easy for kids my age to get hooked on vaping.

Too many lives have already been affected. Our government has to act now to stop this, so that's why I am in strong support of HB380.

Jaron Kaopua
Mililani, Hawaii

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on Judiciary and Hawaiian Affairs

My name is Makoa, and I am a student at Kamehameha schools. I have seen the impact that vaping has on my friends and peers, and it is not good. The most important impact is that people become more distant. I think this happens because vaping is so addictive, that you have to do it multiple times a day. Students have to do it in isolation because it is against campus rules to vape, and they want to avoid the punishment for getting caught. However, that means you're also isolating yourself from your friends and other students all the time, which hurts your social life.

Having a good social life is important because it supports our emotional development, helps build lasting friendships, and boosts confidence and self-esteem. These are all vital for our future. Also, having a good social life helps provide stress relief. I can see that my classmates who vape are stressed out all the time, and their addiction to vaping isn't helping them.

I support HB380 and I hope that you will pass it to help us youth out.

Makoa Dwight

Kailua, Hawaii

Feb. 8, 2025

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on
Judiciary and Hawaiian Affairs

I support HB380. As a student, I often see people vaping in the bathrooms. It makes me feel uncomfortable and, truthfully, I am intimidated when I see vapers linger in and around the bathrooms. Something I've noticed about the vapers is that they use flavored vapes, which all have colorful covers and wrapping. The designs definitely draw you in, which is why it's important that flavored vapes are banned. I learned that almost all the counties passed laws to do this, but it isn't enforced because there is a state law that stops them. Vaping has, and will continue to hurt people everyday. If the counties can stop vapes from hurting me and other youth, why does the State stop them? I stand in support of HB380.

Peyton Lee
Honolulu, Hawaii

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee on
Judiciary and Hawaiian Affairs

My classmates and I actively use social media, and unfortunately, many influencers show off their vapes. It is very easy to follow what other people do, especially if they are popular. That's why it is important to ban flavored vapes, so youth cannot access them. Also, vapes contain nicotine and/or other addicting chemicals, leading to a number of health issues such as gum disease. Vaping is a widespread problem in Hawaii, and the government has to take action now. As many counties have already passed, but cannot act on, bills that ban flavored vapes, it is important that this State Legislature give power back to the counties. Only this way can real action be taken now to keep me and my classmates safe. I strongly support HB380.

Rylan Tandal
Waialua, Hawaii

HB-380-HD-1

Submitted on: 2/11/2025 9:04:14 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Meetu Kelen	Individual	Support	Written Testimony Only

Comments:

My name is **Meetu Kelen**, and I am submitting this testimony in **strong support** of **HB 380, HD1**, which restores the counties' ability to regulate the sale of tobacco products. This bill is a crucial step in empowering local governments to implement innovative policies that protect public health and reduce tobacco-related harm in our communities.

As a **community health worker, advocate, concerned resident**, I have witnessed firsthand the devastating impact of tobacco use, particularly among our youth and vulnerable populations. By allowing counties to enact stronger regulations tailored to their specific needs, **HB 380, HD1** ensures that local leaders have the flexibility to respond effectively to emerging tobacco industry tactics, such as the aggressive marketing of flavored tobacco products that target young people.

Restoring local authority over tobacco control aligns with Hawai'i's commitment to reducing smoking rates and preventing tobacco-related illnesses. Other states that have empowered local governments in this way have seen **significant reductions in youth tobacco use**, demonstrating the effectiveness of community-driven policies.

I urge you to **pass HB 380, HD1** to allow counties to take bold action in protecting public health and promoting a tobacco-free future for Hawai'i.

Thank you for the opportunity to testify.

Sincerely,

Mkelen

HB-380-HD-1

Submitted on: 2/11/2025 10:27:57 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Luck	Individual	Support	Written Testimony Only

Comments:

The State of Hawaii is not going to overcome the influence of money in opposing regulations that would reduce youth tobacco use. The Counties must maintain their authority to do so and protect our keiki.

Testimony in STRONG SUPPORT of HB 380, HD 1

Aloha Chair Tarnas, Vice Chair Poepoe and members of the House Committee on Judiciary and Hawaiian Affairs,

I am writing in strong support of HI 380, HD 1 which would amend a law passed during the waning days of the 2018 State Legislative Session through House Bill 1895, which underwent last minute changes and did not receive a public hearing or allow public comment, and amended an otherwise well-meaning and worthy bill to fund needed kidney dialysis centers in the state with a provision that harms public health and helps the tobacco industry. This provision blocks (preempts) county governments in Hawaii from passing their own ordinances to reduce tobacco use, including measures addressing the sale of candy-flavored tobacco products and menthol cigarettes that attract kids.

Most of Hawaii's most effective tobacco-related laws that have contributed to reductions in youth and adult smoking rates began as ordinances passed by Hawaii's counties. Some of those ordinances, aimed at addressing local public health threats, proved their effectiveness at the county level for years before being replicated by state law.

The tobacco industry for years, on the other hand, attempted to advance state legislation that would preempt local government's home rule on tobacco issues. In fact, former Governor John Waihee vetoed such a bill after it passed through the legislative process citing the need for county governments to be able to address important health issues that affect their communities. Tobacco, which remains the leading preventable cause of death in Hawaii, and which costs the state and its taxpayers over a half-billion dollars annually in healthcare costs, certainly qualifies as a public health threat deserving of both local and state policy attention.

Local governments should be able to determine their own needs for tobacco policies, and the state legislature should support those efforts by establishing a floor, not a ceiling, on what local governments can do to address those needs. Some 1,400 Hawaii residents die each year from tobacco use, and 21,000 kids alive today in Hawaii will die prematurely from tobacco use if nothing is done to reduce it.

HB 380, HD 1 would correct the last minute provision (which today would be deemed illegal if attempted following a state Supreme Court judgement declaring such legislative maneuvers unconstitutional) added to legislation in 2018 which provided the tobacco industry its long sought goal to funnel important, progressive tobacco-control policies only through the state legislative level. There it can focus its resources to defeat those measures, and away from the counties where the industry struggles to compete with community grassroots support for those issues.

I urge your strong support of HB 380, HD 1 and ask that you return county home rule on this most vital public health issue back to local communities.

Respectfully submitted,

A handwritten signature in black ink that reads "Donald B. Weisman". The signature is written in a cursive, flowing style.

Don Weisman
Kailua, HI

HB-380-HD-1

Submitted on: 2/11/2025 10:54:27 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
mary santa maria	Individual	Support	Written Testimony Only

Comments:

Dear Legislators,

The Counties are in a unique position to regulate tobacco policies that their community needs and wants. I stongly support this bill HB380 that will restore the Counties ability to set policies for tobacco products. Please vote to pass this bill.

sincerely

Mary SM a concerned citizen

HB-380-HD-1

Submitted on: 2/11/2025 11:46:06 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John A. H. Tomoso	Individual	Support	Written Testimony Only

Comments:

02-11-25

RE: HB380 HD1

Aloha,

E-cigarettes play a major role in the increased rates of youth nicotine addiction, which, for a while, was in decline. Our counties are uniquely positioned to quickly address the health needs of their communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

The tobacco industry and its allies continue to use, what I believe are deceitful strategies to oppose smoke-free laws and youth access restrictions at the state level to more easily maintain their control over tobacco regulation. Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, for all ages, and reduce healthcare costs associated with tobacco-related illnesses.

I urge you to pass this bill to keep our communities safe from the harms of the tobacco industry.

Mahalo,

John A. H. Tomoso+, MSW, ACSW

51 Ku'ula Street, Kahului, HI 96732-2906

808-280-1749, john.a.h.tomoso@gmail.com

HB-380-HD-1

Submitted on: 2/11/2025 12:21:00 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sabrina Spencer	Individual	Oppose	Written Testimony Only

Comments:

This bill would make it even harder and more uncertain for businesses and constituents. It also would let each county do things that the legislature promised not to do and cause conflicts of interest.

HB-380-HD-1

Submitted on: 2/11/2025 12:22:11 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I live in a high rise condo and several years ago more than 67% of the owners voted to ban smoking on the property, including in the apartments. It is so nice not to be assaulted by passive smoke.

E-cigarettes play a major role in the increased rates of youth nicotine addiction. The counties are uniquely positioned to quickly address the health needs of their communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present. Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

I urge you to pass this bill to keep our communities safe from the harms of the tobacco industry, harms which include chronic illnesses such as asthma, COPD, diminished lung capacity.

HB-380-HD-1

Submitted on: 2/11/2025 12:31:01 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Leslie Garo	Individual	Support	Written Testimony Only

Comments:

Aloha Committee on Judiciary and Hawaiian Affairs,

I am in strong support of Bill HB 380. As a parent and involved community member, it is so important to restore local authority to regulate the sale of tobacco products. By granting each county to regulate the sale of tobacco products, there will be the best policies in place to better our communities. This will allow each county to protect the youth from harmful and toxic chemicals that can impact their brain development, lungs, and overall health. The Native Hawaiian, Filipino and Pacific Islander populations are at an even higher risk due to the fact that the highest percentages of youth using tobacco products are a part of those ethnic groups. Tobacco products are affecting the youth's mental health, physical health and overall well-being. By passing this bill, we will be able to reduce the overall use of tobacco and reduce healthcare costs associated with tobacco-related illness. Our local leaders know how to resolve local problems. It is vital to give counties the ability to quickly address the health needs of their communities. Without local authority, more lives are at stake due to tobacco use and sales. Passing this bill will make processes for tobacco regulation much more efficient and effective for the communities. This has been given to our counties before, so it is not impossible to make this happen again. Please be a part of making a positive impact on our local communities. I ask for you to pass the bill and allow our youth to live longer and healthier lives and for our communities to thrive without the harmful effects of tobacco products.

Mahalo for your time and consideration.

Aloha Honorable Members of the House Committee on Judiciary and Hawaiian Affairs,

I am writing this testimony in strong support of HB 380 HD1 to Restore Local Authority to Regulate the Sale of Tobacco Products. Preemption in tobacco control is a well-known tactic used by the tobacco industry to thwart health initiatives that protect our communities, particularly our youth. County tobacco control laws paved the way for many, if not most, of the tobacco protections we have in place today. Without Counties moving forward on clean air laws, age restrictions, etc. we wouldn't have made the gains in smoking reduction that we have seen, thus saving lives and healthcare costs throughout our state.

Hawaii's counties have already demonstrated that we want and need flavored tobacco restrictions for our communities, as each county has passed a law that will go into effect once preemption has been reversed on this issue, but cannot go into effect before. The state has been unsuccessful in passing this much needed legislation, so it's time to give the counties back the authority to take this issue on. Our youth are depending on us as the vaping industry has targeted them specifically, and youth addiction to these highly concentrated nicotine products has skyrocketed as a result. They are paying the price for our inaction.

I am a mother and a former teenage smoker. The tobacco protections that went into place in the 90s, including clean air laws, increased taxes, the banning of advertising and flavored cigarettes like vanilla and strawberry, etc. all contributed to my being able to quit. I'm so grateful for these laws, and likely owe my life to them. I want to see (and be a part of) Maui County's continued work toward reducing nicotine addiction in our community, particularly for our younger population, and help individuals in our county to avoid needless early death and disease.

Please allow Maui County, along with the other counties, to work on tobacco control laws that will protect our unique communities, and especially our keiki. We can continue this good work if authority is restored to our local governments to regulate the sale of tobacco products.

Mahalo nui loa for your time and support,

Katie Folio
Mother, resident
Kula, HI

HB-380-HD-1

Submitted on: 2/11/2025 1:13:19 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kealoha Madriaga	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of HB 380

Relating to Restoring Local Control to Counties for Tobacco Regulation

February 11, 2025

To: Honorable Chair, Vice Chair, and Members of the Committee

My name is Kealoha Madriaga, and I am submitting this testimony in strong support of HB 380 HD 1, which seeks to restore local control to counties to regulate the sale of tobacco products.

As a resident of Hawai‘i, I have seen firsthand the harmful impacts of tobacco use on our communities. Tobacco remains one of the leading causes of preventable illness and death, and its presence disproportionately affects vulnerable populations, including youth, Native Hawaiians, and individuals in low-income communities. HB 380 would empower counties to enact measures tailored to address the unique needs and challenges of their communities in combating tobacco use and its related health risks.

Why Local Control Matters

1. Addressing Community-Specific Needs:
Hawai‘i’s diverse counties face varying levels of tobacco use and availability. For example, rural areas may struggle with higher access to flavored tobacco products targeting youth, while urban areas might face different challenges with tobacco marketing. By restoring regulatory authority to counties, we ensure that local governments can implement policies that are culturally and geographically responsive.
2. Preventing Youth Tobacco Use:
Flavored tobacco products, e-cigarettes, and other emerging nicotine products are designed to appeal to children and teens, creating a new generation of smokers. With restored authority, counties can move more quickly to ban these harmful products, limit retail availability near schools, and protect our keiki.
3. Supporting Public Health Initiatives:
Counties are on the front lines of addressing health crises. Restoring their ability to regulate tobacco sales aligns with broader public health strategies to reduce smoking rates, prevent chronic illnesses, and lower healthcare costs.

Restoring Local Voices in Tobacco Regulation

HB 380 would return an essential tool to local governments, enabling them to prioritize public health and safety over industry profits. It is critical that counties have the power to act in the best interests of their residents, especially when state-level action may be delayed or limited.

Hawai‘i has always been a leader in protecting public health, and HB 380 continues that legacy. By passing this bill, we are sending a clear message that the health and well-being of our people—especially our youth—come first.

I urge you to pass HB 380 and restore counties' ability to make decisions that reflect their communities' unique needs. Thank you for the opportunity to testify.

Mahalo nui loa

HB-380-HD-1

Submitted on: 2/11/2025 1:15:25 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sally Ancheta	Individual	Support	Written Testimony Only

Comments:

As a public health educator, I have witnessed the rise of the youth vaping epidemic on Hawai'i Island. Our youth, as young as 2nd grade, are lured into using electronic smoking devices due to the candy/fruity flavors that look enticing but are highly addictive.

Let the counties have home rule again by passing HB380 HD1 so they can regulate the sale of all tobacco/vape products to protect our youth from a lifetime of nicotine addiction.

HB-380-HD-1

Submitted on: 2/11/2025 1:18:26 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Wong	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is **Matthew Wong**, and I am writing in **strong support** of **HB 380, HD1**, which restores the counties' ability to regulate the sale of tobacco products. This bill is critical in allowing local governments to enact policies that best serve the health and well-being of their communities.

E-cigarettes have **reversed decades of progress** in reducing youth nicotine addiction. In Hawai'i, we continue to see **alarming rates of youth e-cigarette use**, fueled by aggressive marketing, flavored products, and easy access. Counties are uniquely positioned to respond quickly and effectively to these evolving public health challenges. **Local-level policies** have already proven successful—such as increasing the tobacco purchasing age to **21 years old**, **establishing clean air laws**, and **banning smoking in cars with keiki present**. These measures have significantly contributed to protecting public health and reducing tobacco-related harm.

Unfortunately, **the tobacco industry and its allies actively work to undermine statewide efforts** to regulate tobacco sales, using deceptive strategies to block smoke-free laws and weaken youth access restrictions. By restoring counties' ability to regulate tobacco products, **HB 380, HD1** empowers local governments to take action where it is needed most. Stronger county-level policies will help **reduce overall tobacco use, protect youth from addiction, and lower healthcare costs associated with tobacco-related illnesses**.

I urge this committee to **pass HB 380, HD1** to protect our keiki and communities from the harmful influence of the tobacco industry.

Mahalo for your time and consideration.

Sincerely,
Matthew Wong

HB-380-HD-1

Submitted on: 2/11/2025 2:46:41 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Support	Written Testimony Only

Comments:

E-cigarettes play a major role in the increased rates of youth nicotine addiction, which was in decline. The counties are uniquely positioned to quickly address the health needs of their communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws and youth access restrictions at the state level to more easily maintain control over tobacco regulation. Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

I urge you to pass this bill to keep our communities safe from the harms of the tobacco industry.

HB-380-HD-1

Submitted on: 2/11/2025 2:57:09 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kent Miyashiro	Individual	Oppose	Written Testimony Only

Comments:

Testimony Opposing H.B. 380 Preemption Repeal

Chair and members of the committee, I am here to strongly oppose H.B. 380, which seeks to repeal preemption laws and allow local governments to create their own regulations on certain issues. While local control is important, this bill would create a confusing and inconsistent patchwork of regulations across the state, making it difficult for businesses and individuals to comply with ever-changing rules. Businesses that operate in multiple cities or counties would be forced to navigate a maze of conflicting ordinances, increasing costs and reducing economic growth. Instead of fostering stability, this bill would create unnecessary confusion and uncertainty.

The unintended consequences of repealing preemption are far-reaching. Without uniform statewide policies, small businesses especially those operating in multiple jurisdictions will struggle with compliance costs, higher administrative burdens, and legal uncertainties. For example, a business that operates in several neighboring cities could face different tax rates, employment laws, or product regulations, making it difficult to plan for the future. These inconsistencies would not only hurt job creators but also discourage new businesses from expanding or relocating to our state, ultimately harming economic competitiveness.

Furthermore, repealing preemption could lead to regulatory overreach at the local level, where well-intended but restrictive laws may disproportionately impact certain communities. Residents and tourists who travel inter island will find themselves subject to drastically different rules just a few miles apart, creating confusion and frustration. Instead of fostering fair and predictable governance, this bill risks creating a chaotic system where businesses and consumers bear the burden of ever-changing local policies. For these reasons, I urge you to vote NO on H.B. 380. Thank you for your time and consideration.

HB-380-HD-1

Submitted on: 2/11/2025 5:30:37 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael S. Nakasone	Individual	Oppose	Written Testimony Only

Comments:

HB380 is junk and will turn the regulatory landscape into a mess for businesses.

**TESTIMONY IN SUPPORT of HB 380, HD 1
RELATING TO THE REGULATION OF TOBACCO PRODUCTS
February 13, 2025**

House Committee on Judiciary & Hawaiian Affairs

David A Tarnas, Chair

Mahina Poepoe, Vice Chair

Members

My name is Julian Lipsher, a member of the Hawaii Public Health Institute's Coalition for a Tobacco Free Hawaii and formerly with the Hawaii State Department of Health's Tobacco Prevention and Control Program, testifying as an individual in support of HB 380, HD 1.

The bill repeals existing statutory language that: declares that the sale of cigarettes, tobacco products, and electronic devices are a statewide concern; and preempts all local ordinances and regulations that regulate the sale of cigarettes, tobacco products, and electronic devices. Effective 7/1/3000. (HD1)

In Hawaii and across the nation, smoking, tobacco and nicotine use remain the single greatest cause of preventable morbidity and mortality. E-cigarettes have played an increasing role in the escalating rates of nicotine addiction among youth.

Prior to 2018, counties had the ability to establish individual ordinances for tobacco control as well as set stricter requirements to state law. Counties traditionally are closer to their communities, are better positioned and are responsible to recognize and address issues protecting the health and safety of their population.

This was the case with protecting county populations from exposure to tobacco smoke in inclosed and partially enclosed spaces. When proposed bills in the state legislature became bottled up for years, often through tobacco industry influence, the counties enacted their own ordinances until the state enacted a comprehensive state statute.

Hawaii counties have already raised this issue through enacting measures that would become effective when local control is restored. These actions demonstrate that local control is both responsive, timely, and needed showing the State Legislature that action on this issue is long overdue.

Thank you for the opportunity to testify.

Julian Lipsher, MPH

Testimony in Strong Support of HB380 HD1

House Committee on Judiciary & Hawaiian Affairs

Hearing: Thursday, February 13, 2025, at 2:00 PM

Dear Chair, Vice Chair, and Members of the Committee,

My name is **Malia Lehua Ball**, and I am submitting testimony in **strong support** of **HB380 HD1**, which would restore counties' authority to regulate tobacco products. As a **Nationally Certified Tobacco Treatment Specialist**, I have worked for over a decade in tobacco cessation, helping individuals—especially in Native Hawaiian and rural communities—quit smoking and vaping.

Flavored tobacco products are fueling youth addiction.

In my work throughout the Waianae community, I have seen firsthand how flavored vaping products are affecting our keiki. Recently, I visited **four elementary schools and one intermediate/high school** on the Waianae Coast. When I spoke with students about vaping, many admitted to trying it. They told me they like it because of the **taste and smell**. However, when I asked if they liked the smell of cigarettes, every single one of them said no. This highlights how flavors are **intentionally used to hook a new generation on nicotine**.

But it's not just our keiki—**adults are also being impacted by flavored products**.

Every Saturday at the **Waianae Farmers' Market**, I speak with people who smoke or vape. Many who vape tell me they prefer it over cigarettes because it **doesn't smell bad and they enjoy the fun, fruity, and tasty flavors**. These conversations reinforce what we already know: **flavors are keeping people addicted**.

Counties need the power to act on these issues.

Hawai'i's counties have always been leaders in **tobacco control policies** that have protected our communities—whether it was raising the age to buy tobacco to 21, enacting clean air laws, or banning smoking in cars when keiki are present. Local governments are in the **best position** to respond to the needs of their communities, including addressing the **youth vaping epidemic**.

The **tobacco industry and its allies continue to use state-level policies to block effective tobacco control measures** and weaken regulations. By restoring local authority, **HB380 HD1** will allow counties to take stronger action against Big Tobacco's deceptive tactics and protect the health of our keiki and communities.

I **strongly urge** you to **pass HB380 HD1** and give counties the ability to implement policies that truly prioritize public health. Mahalo for your time and consideration.

Malia Lehua Ball

malialehua@gmail.com

Concerned Hawai'i Resident & Tobacco Treatment Specialist

HB-380-HD-1

Submitted on: 2/12/2025 10:47:18 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

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

Comments:

Aloha Chair, Vice Chair and Committee Members,

As a Tobacco Treatment Specialist in Hawaii , I support HB380 HD1.

The counties are uniquely positioned to quickly address the health needs of their communities and have used that ability to great success, such as changing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws, youth access restrictions, regulations on advertisements and promotions, and retailer licensing restrictions at the state level to more easily maintain control over tobacco regulation.

Counties regulating the sale of tobacco products can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses.

Thank you for your careful review of HB380 HD1 and the positive impact it can have here in the state.

Valerie Smalley

HB-380-HD-1

Submitted on: 2/12/2025 1:42:07 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

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

Comments:

I am writing in strong support of this bill to allow our counties to identify and solve their own problems.

In 2018, Act 206 took away the ability to regulate the sale of tobacco products from counties. Since that time, there has been no meaningful statewide legislation to prohibit flavored tobacco product sales, and this has led to an increase in the number of youth who use e-cigarettes. Meanwhile, 86% of registered Hawai'i voters believe counties should have the ability to regulate tobacco products at the point of sale.

The counties need the ability to quickly address the health needs of their communities, and this bill gives that power back to the counties.

HB-380-HD-1

Submitted on: 2/12/2025 1:45:27 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

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

Comments:

Good Afternoon JHA Committee,

I am writing testimony in strong support of HB380 HD1 which would restore the counties' authority to regulate tobacco products because we know that the counties are uniquely positioned to act and react to the health needs of their communities, thus creating changes that have had major impact on the overall wellbeing of all those that live and breathe here in Hawai'i.

As the counties' regain control and are able to regulate the sale of tobacco products they can reduce the overall use of tobacco in their communities, improve public health, and reduce healthcare costs associated with tobacco-related illnesses. This authority will continue to have a positive impact on the youth of Hawai'i that are not able to make these decisions for themselves, like the clean air lawa and smoke-free cars while keiki are present, as well as those that are trying to make healthy decisions as they age, like changing the age to purchase tobacco products to 21yrs old.

Helping to guide our youth as well as supporting those that are fighting an addiction that has such a strong hold as to keep individuals using a product that is the known most preventable cause of death and disease should be done with the ability to make quick and accurate changes by those that are seeing the problem firsthand, a decision that should be placed back in the authority of the counties'.

Thank you for your consideration.

Stephanie

HB-380-HD-1

Submitted on: 2/12/2025 1:49:31 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

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

Comments:

Aloha,

My name is Bryan Mih and I am a parent, pediatrician, and the medical director of the Kapi’olani Smokefree Families Program. For the health of our keiki and their families, it is vitally important to support HB380. E-cigarettes or “vapes” are addicting increasing numbers of keiki to nicotine. The ability of each county to introduce new rules has a proven track record of improving the health of our population. These include increasing the age to purchase tobacco products to 21 years old, clean air laws, and smoke-free cars while keiki are present.

Nicotine is a highly addictive drug that impacts the adolescent brain, reducing impulse control and affecting mood. Once young people are addicted to nicotine, it is extremely difficult to quit.

By allowing counties to enact stricter tobacco and nicotine control regulations than those found at the state level, we can more effectively protect the health of our keiki and their families. There is nothing more important than the health of our young people.

Please support this important bill. Mahalo for your consideration.

Sincerely,

Bryan Mih, MD MPH FAAP

Pediatrician

Medical Director, Kapi’olani Smokefree Families

HB-380-HD-1

Submitted on: 2/12/2025 6:44:05 PM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Maya Maxym	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

HB-380-HD-1

Submitted on: 2/13/2025 7:22:04 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ka`iulani Galon	Individual	Support	Written Testimony Only

Comments:

I, as a mother of three who have had several family members die of lung cancer, support this bill as a means for mitigating the health issues that are prevalent amongst our native communities in Hawai`i due to early start to lifetime tobacco use caused by sales of tobacco laws placed in the past.

HB-380-HD-1

Submitted on: 2/13/2025 7:51:15 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Audrina Leolani Angelo	Individual	Support	Written Testimony Only

Comments:

Aloha my name is Audrina Leolani Angelo,

I strongly support bill HB380 for the following reasons.

The tobacco industry and its allies continue to use deceitful strategies to oppose smoke-free laws, youth access restrictions, regulations on advertisements and promotions, and retailer licensing restrictions at the state level to more easily maintain control over tobacco regulation.

Mahalo for your consideration,

Audrina Angelo

HB-380-HD-1

Submitted on: 2/13/2025 9:44:58 AM

Testimony for JHA on 2/13/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristin Mills	Individual	Support	Written Testimony Only

Comments:

Aloha,

As a resident and taxpayer in Pukalani Hawaii, as well as a parent, health educator and epidemiologist, I am in strong support of HB380.

We need to end tobacco preemption. When laws are preempted, they have no force or effect. In the case of tobacco control, local (or county-level) control is very important. Because of the importance of local control, the tobacco industry and its allies have historically used, and continue to use, preemptive strategies to prevent smoke-free laws, youth access, retailer licensing restrictions, advertising and promotion regulations, and similar policies.

When a state has preemption, it takes away the “local voice” and invalidate many local tobacco control policies that represent years of effort. Moreover, once enacted, preemptive laws are traditionally difficult to repeal, and can affect the legal and advocacy landscape for years. When comparing states with and without preemption, research has shown that preemption has resulted in health and social norm disparities.

In terms of tax dollars coming into the state from tobacco sales: (1) is making money from tobacco products really how Hawaii wants to make money?, (2) other states that have strong tobacco laws, including flavor bans, show that people still spend the same amount of money in their state, just on other products, and (3) when considering the potential of lost funds from tobacco, Hawaii also needs to look at the true costs of healthcare and lost income due to illnesses related to using tobacco. While this last paragraph is not directly related to reversing preemption, it’s important as our efforts have been denied in the past because of statewide concerns over lost income if control is given back to the counties.

Our local voice has been preempted for too long. We have a serious tobacco and vaping epidemic occurring, especially with our youth. And each county has spoken... we want our control back.

Please support HB380 so we can get back our local voice in regard to tobacco control. It is the right thing to do!

Sincerely,

Kristin Mills

Parent, epidemiologist, and health educator