

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii
Sir:

Your Committee on Finance, to which was referred H.B. No. 2457, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE YOUTH VAPING EPIDEMIC,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Ban the sale of flavored tobacco products, prohibit the mislabeling of e-liquid products containing nicotine, and establish fines and penalties for violations, beginning on January 1, 2021;
- (2) Require the Department of Education to establish a safe harbor program by which persons under twenty-one years of age may dispose of electronic smoking devices in their possession;
- (3) Require public school teachers and educators to confiscate electronic smoking devices;
- (4) Amend the fines for the purchase or possession of tobacco products and electronic smoking devices by persons under twenty-one years of age; and
- (5) Authorize a court to impose, as a penalty on a person eighteen to twenty-one years of age who is convicted of purchase or possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine.

Your Committee received testimony in support of this measure from the County of Hawaii Office of the Prosecuting Attorney; Honolulu Police Department; Hawaii Public Health Institute; Flavors Hook Kids Hawaii Campaign; Kapiolani Smokefree Families; Kapiolani Medical Center for Women and Children; Blue Zones Project-Hawaii; Kahoomiki; Hawaii Public Health Association; Hawaii Primary Care Association; Hawaii Dental Hygienists' Association; Hawaii Substance Abuse Coalition; Filipina Advocacy Network; Filipino Women's Civic Club Foundation of Hawaii; Hui No Ke Ola Pono; Filipino Business Women's Association; Hawaii Community Foundation; Kamehameha Schools; Windward Nazarene Academy; Maui Preparatory Academy; St. Andrew's Schools; Doris Todd Christian Academy; Maui Christian Academy; Maui Adventist School; Malamalama Waldorf School; Holy Nativity School; Mid-Pacific; Damien Memorial School; Kona Visayan Club; Hawaii Pacific Health; The Man Cave; Shaka Tea; Pioneering Healthier Communities Initiative; Hawaii Kai Lions Club; Hawaii Youth Services Network; Pediatric Therapies Hawaii; Pono Hawaii Initiative; West Hawaii Community Health Center; The Friends of Kamalani and Lydgate Park; We Are One, Inc.; Emma Whitney Photography; Hawaii Association of Independent Schools; and over one hundred individuals. Your Committee received testimony in opposition to this measure from Volcano E-Cigs; Hawaii Petroleum Marketers Association; Cigar Association of America, Inc.; Hawaii Smokers Alliance; BLVK Unicorn; 808 Smokes; Vape Kings LLC; TVA Vapor; and over one hundred individuals. Your Committee received comments on this measure from the Department of the Attorney General; Department of Education; Department of Health; Hawaii State Teachers Association; American Heart Association; Hawaii Food Industry Association; American Lung Association; American Academy of Pediatrics, Hawaii Chapter; American Cancer Society Cancer Action Network; and ten individuals.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2457, H.D. 2, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Finance,

SYLVIA LUKE, Chair