STAND. COM. REP. NO.

2281

Honolulu, Hawaii

FEB 1 3 2008

RE: S.B. No. 2105

S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 2105 entitled:

"A BILL FOR AN ACT RELATING TO TOBACCO,"

begs leave to report as follows:

The purpose of this measure is to protect the health of children and youth in Hawaii by prohibiting the sale of flavored tobacco products and imposing a civil fine in an amount not to exceed five thousand dollars on violators.

Your Committee received testimony in support of this measure from the Department of Health, the American Heart Association, and the Coalition for a Tobacco-Free Hawaii. The Department of the Attorney General submitted comments on this measure.

Your Committee finds that cigarette manufacturers are targeting children and youth with flavored cigarettes that encourage them to begin smoking. Your Committee further finds that smokeless tobacco products have generally not been marketed to children and youth and therefore, should be eliminated from this measure.

Your Committee has amended this measure by;

(1) Removing all references to smokeless tobacco products, including the definitions of "chewing tobacco", smokeless tobacco", and "tobacco snuff";



- (2) Amending the definition of "characterizing flavor" to mean a distinguishable or distinctive natural or artificial taste, flavor, smell, or aroma, other than tobacco, menthol, or clove, which emanates from or is imparted by the smokeless tobacco product, cigarette, or cigarette's smoke, or any of the cigarette's component parts at any time prior to or during consumption;
- (3) Amending the definition of "component parts" to include but not be limited to, the tobacco, filter, paper, or natural or artificial flavoring device or substance in a cigarette; and
- (4) Making technical, nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2105, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2105, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

Amil y L DAVID Y. ICE Chair

The Senate Twenty-Fourth Legislature State of Hawaii

Record of Votes Committee on Health HTH

Bill / Resolution No.:*	Committee Referral:		Da	Date:	
SB 2105	HTH, JDL			02-06-08	
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	· · · · · · · · · · · · · · · · · · ·	~			
FUKUNAGA, Carol (VC)		V			1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
BAKER, Rosalyn H.		<u> </u>			
MENOR, Ron		V			
WHALEN, Paul			V		
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TOTAL		4	1		
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature: And July					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes