

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 528
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 528
entitled:

"A BILL FOR AN ACT RELATING TO TOBACCO,"

begs leave to report as follows:

The purpose of this measure is to continue the requirement that businesses engaged in the sale of cigarettes and other tobacco products at the retail level acquire a retail tobacco permit.

The measure accomplishes this purpose by repealing the sunset clause in Act 131, Session Laws of Hawaii 2005.

Your Committee received testimony in support of this measure from the Department of Taxation, Coalition for a Tobacco-Free Hawaii, Papa Ola Lokahi, the American Heart Association, Healthy Mothers Healthy Babies Coalition of Hawaii, and one individual. The Attorney General submitted testimony in support of the measure with amendments. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, and one individual.

Copies of written testimony are available for review on the Legislature's website.

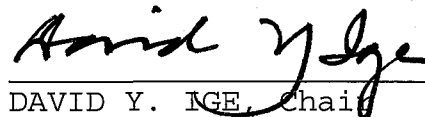
Your Committee finds that it is necessary to continue the retail tobacco permit program which has successfully facilitated the compliance and collection of cigarette taxes in the State.



Your Committee has amended this measure by adopting the recommendations of the Attorney General by including a purpose section explaining why the sunset provision is being repealed and by changing the effective date to June 30, 2009, to avoid the possibility of this Act taking effect after the sunset date of July 1, 2009.

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. 528, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 528, S.D. 1, and be referred to the Committee on Ways and Means.

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

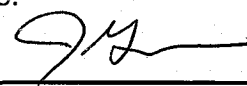


DAVID Y. IGE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* <div style="text-align: center; font-size: 1.2em;">SB 528</div>	Committee Referral: <div style="text-align: center; font-size: 1.2em;">HTH, WAM</div>	Date: <div style="text-align: center; font-size: 1.2em;">2-11-9</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div> <input type="checkbox"/> Pass, unamended 2312 </div> <div> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div> <input type="checkbox"/> Hold 2310 </div> <div> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	/			
GREEN, M.D., Josh (VC)	/			
BAKER, Rosalyn H.	/			
ESPERO, Will	/			
NISHIHARA, Clarence K.	/			/
HEMMINGS, Fred	/			
TOTAL	5	0	0	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; font-size: 1.5em; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

***Only one measure per Record of Votes**