

STAND. COM. REP. NO.

1158

Honolulu, Hawaii

APR 06 2009

RE: S.C.R. No. 69
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 Commerce and Consumer Protection, to which was referred S.C.R. No. 69 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THAT THE AUDITOR PERFORM A SUNRISE ANALYSIS ON THE LICENSING OF ATHLETIC TRAINERS,"

begs leave to report as follows:

The purpose of this measure is to request that the Auditor perform a sunrise analysis of the licensing of athletic trainers.

Prior to a hearing on this measure, your Committee circulated a proposed draft that deleted the title and contents of the measure as received by your Committee and inserted therefor provisions that encourage the United States Congress to enact legislation regulating the sale and marketing of tobacco products. Although the original measure requesting a sunrise analysis of regulating the athletic trainer industry did have merit, that measure was duplicative of another measure, S.C.R. No. 35, which your Committee has advanced.

Your Committee received testimony in support of the proposed S.D. 1 of this measure from the American Cancer Society, the American Heart Association, the American Lung Association, and Coalition for a Tobacco-Free Hawaii. Written testimony presented to the Committee may be reviewed on the Legislature's website.

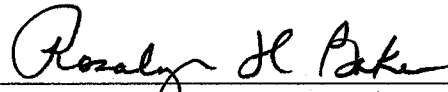
Your Committee finds that as tobacco companies attempt to hold market share in the face of declining tobacco sales, some



tobacco companies are targeting young people, especially young women, through marketing. Your Committee finds that some of the marketing initiatives, especially "purse packs" of ultra-slim cigarettes in a pastel-colored, lipstick-shaped package, show contempt for young women and their health by putting a pink gloss on a product that causes heart disease and lung cancer which are two of the leading causes of death for women in this country. Your Committee further finds that the Federal Cigarette Labeling and Advertising Act, 15 United States Code section 1334, preempts state action in regulating the marketing and packaging of tobacco products. Your Committee finds that this measure expresses both the intent of the Legislature that cigarette marketing must be regulated and deference to the federal government's role in regulating commerce and setting national health policy.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 69, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 69, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,

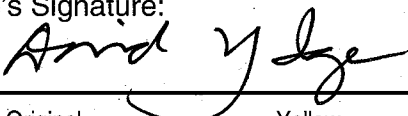


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* <i>SCR 69</i>	Committee Referral: <i>CPN, WAM</i>	Date: <i>4/1/2009</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh				✓
IHARA, Jr., Les				✓
SAKAMOTO, Norman				✓
HEMMINGS, Fred	✓			
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes