STAND. COM. REP. NO. 1534-12

*Honolulu, Hawaii

April 3, 2012

RE: S.B. No. 1168

S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1168, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS,"

begs leave to report as follows:

The purpose of this measure is to prohibit the use of tobacco products by minors and authorize law enforcement officers to confiscate tobacco products used by minors.

Several individuals testified in support of this measure. The Department of Health testified in support of this measure with amendments. The Coalition for a Tobacco Free Hawaii testified in support of the intent of this measure. The Honolulu Police Department and numerous individuals testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Expanding the authority of law enforcement officers by authorizing them to confiscate any tobacco or tobacco products found in the possession of minors, in addition to those used by minors;
- (2) Defining the terms "tobacco" and "tobacco products" to include electronic cigarettes;

- (3) Defining the term "electronic cigarette"; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1168, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1168, S.D. 1, H.D. 1.

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

GILBERT KEITH-AGARAN) Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 1168 SD1	Committee Referral:	Date:	3/29/	12
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C.	(C) \rightarrow		_	
2. RHOADS, Karl (VC)	V			
3. BROWER, Tom				-
4. CABANILLA, Rida T.R.				~
5. CARROLL, Mele				~
6. COFFMAN, Denny				V
7. HERKES, Robert N.	V			
8. ITO, Ken	~			
9. LUKE, Sylvia				V
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.				_
12. TSUJI, Clift				-
13. FONTAINE, George R.		_		
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia	·			· <u>-</u>
				<u> </u>
			<u></u>	_
TOTAL (15)	9	0	0	6
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				