

STAND. COM. REP. NO. **400**

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 757
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 757
entitled:

"A BILL FOR AN ACT RELATING TO THE REGULATION OF ELECTRONIC
SMOKING DEVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the use of electronic smoking devices in places
where smoking is prohibited; and
- (2) Update signage requirements.

Your Committee received testimony in support of this measure
from the Department of Health, University of Hawaii Cancer Center,
American Cancer Society Cancer Action Network, Coalition for a
Tobacco Free Hawaii, Hawaii Community Pharmacy Association, and
one individual. Your Committee received testimony in opposition
to this measure from VOLCANO Fine Electronic Cigarettes, PC
Gamerz, Hawaii Smokers Alliance, and sixteen individuals. Your
Committee received comments on this measure from Outrigger Hotels
and one individual.

Your Committee finds that the unregulated use of electronic
smoking devices is potentially hazardous to health and is
disruptive to an orderly and productive work environment. Using a
noncombustible electronic smoking device closely resembles and
purposefully mimics the act of smoking by having a user inhale

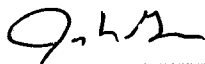


vaporized liquid nicotine created by heat through an electronic ignition system. Prohibiting the use of electronic smoking devices in enclosed or partially enclosed places where smoking is prohibited will reduce the likelihood that employees and the public will associate the use of electronic smoking devices in enclosed or partially enclosed areas with healthful behavior, reduce the likelihood of nonuser exposure to exhaled toxicants of potential harm, reduce the likelihood of workplace disturbances, enhance employee productivity, and help ensure compliance with existing smoking regulations.

Your Committee has amended this measure by inserting language that allows owners of establishments, facilities, or outdoor areas who exercised the right to prohibit smoking prior to September 15, 2015, and installed no smoking signs in those areas to retain previously installed signs and not have to install new signage that includes a symbol of an electronic smoking device.

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. 757, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 757, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

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



JOSH GREEN, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* <div style="font-size: 1.5em; font-family: cursive;">SB 757</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">HTH, CPN</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">2/13/15</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-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, Josh (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
GABBARD, Mike				✓
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam				✓
TOTAL	5	0	0	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> Distribution: Original File with Committee Report </div> <div style="text-align: center;"> Yellow Clerk's Office </div> <div style="text-align: center;"> Pink Drafting Agency </div> <div style="text-align: center;"> Goldenrod Committee File Copy </div> </div>				

*Only one measure per Record of Votes