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Honolulu, Hawaii

February 2 , 2018

RE: H.B. No. 1907 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Health & Human Services, to which was referred H.B. No. 1907 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to prohibit the shipment of electronic smoking devices and other tobacco products purchased through the Internet or by mail order to anyone other than a licensed wholesaler, dealer or a tobacco retailer.

The Department of Health, Hawaii Pacific Health, Hawaii Pacific Health Institute, Kapi'olani Medical Center for Women and Children, Blue Zones Projects, American Heart Association, American Cancer Society Cancer Action Network, American Medical Response, and several individuals testified in support of this measure. Retail Merchants of Hawaii, Hawaii Smokers Alliance, Vape Hawaii, Mokuleia Cigar Company, and numerous individuals testified in opposition. The Department of the Attorney General, Department of Taxation, and Tax Foundation of Hawaii provided comments.

Your Committee has amended this measure by:

(1) Removing tobacco retailers from the list of entities permitted to receive tobacco products through remote

sales to conform with existing prohibitions on remote sales of cigarettes;

- (2) Changing the Class C felony penalty to an unspecified criminal penalty; and
- (3) Changing its effective date to July 1, 3000, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Health & Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1907, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1907, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Health & Human Services,

Chair

OHN M. MIZUNØ

HSCR 30-18

## State of Hawaii House of Representatives The Twenty-ninth Legislature

## Record of Votes of the Committee on Health & Human Services

Bill/Resolution No.: HB 1907	Committee Referral: HHS, CPC, F1	N Date:	1-30-	18
☐ The committee is reconsidering its previ	<u> </u>		•	
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)				
HHS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)				
2. KOBAYASHI, Bertrand (VC)			700	
3. BELATTI, Della Au				
J. DELATTI, Della Au				
4. LEARMONT, Lei R.				
5. TUPOLA, Andria P.L.				
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TOTAL (5)	4	_		1
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Commit	tee Duplicate (Yellow) -	Chief Clerk's Office	Duplicate (Pi	nk) – HMSO