STAND. COM. REP. NO. **224** -18

Honolulu, Hawaii

Februam 9, 2018

RE: H.B. No. 2158 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. 2158 entitled:

"A BILL FOR AN ACT RELATING TO TOBACCO,"

begs leave to report as follows:

The purpose of this measure is to reduce youth's use of tobacco products and electronic smoking devices by reducing access and exposure to these products by:

- (1) Prohibiting the issuance of retail tobacco permits to places of business within seven hundred fifty feet of a school, public park, or public housing project or complex; and
- (2) Making it unlawful for any person to sell tobacco products and smoking devices within those areas.

The Hawaii Public Housing Authority, Hawaii Public Health Association, Blue Zones Project, Coalition for a Tobacco-Free Hawaii, American Heart Association, Hawaii Public Health Institute, Vince Yamashiroya, MD, Inc., and a few concerned individuals supported this measure. Hawaii Food Industry Association, Aloha Petroleum Ltd., Retail Merchants of Hawaii, Volcano Fine Electronic Cigarettes, Cigar Rights of America, Vape Hawaii, Hawaii Smokers Alliance, Smokeless Hawaii, Island Vapor,

and numerous concerned individuals opposed this measure. The Department of Taxation and Department of Health provided comments.

Your Committee notes the concerns raised regarding the legality and enforceability of the amendments proposed by this measure, and respectfully requests that the Department of the Attorney General provide comments to your Committee on Consumer Protection & Commerce on this measure.

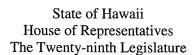
Your Committee has amended this measure by:

- (1) Specifying that tobacco retail permits issued for places of business that are located within seven hundred fifty feet of a school, public park, or public housing shall be void: and
- (2) Changing the effective date to July 1, 3000, to encourage 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. 2158, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2158, 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.

JAHN M. MIZUNO



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Record of Votes of the Committee on Health & Human Services

HB 2158 Committee	ts, CPC	JUD Date:	6-18	
☐ 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)				
HHS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)				
2. KOBAYASHI, Bertrand (VC)			ere lage di en el el el el	
3. BELATTI, Della Au				the second of th
4. LEARMONT, Lei R.				
4. LEARWONT, LEI K.				
5. TUPOLA, Andria P.L.	and the second s			
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TOTAL (5)	1	4		
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				