STAND. COM. REP. NO. 5

Honolulu, Hawaii February 7, 2019

RE: H.B. No. 1284 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1284 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HEALTH,"

begs leave to report as follows:

The purpose of this measure is to limit the State's preemption of local ordinances that regulate the sale of cigarettes, tobacco products, and electronic smoking devices to allow the counties to enact ordinances that are more stringent than state law.

A Hawai'i County Council Member representing District 1, Hawai'i State Association of Counties, Hawai'i Primary Care Association, American Cancer Society Cancer Action Network, Hawai'i Public Health Institute, Blue Zones Project, Blue Zones Project-Central Maui, American Heart Association, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and several individuals supported this measure. VOLCANO Fine Electronic Cigarettes, Hi Lyfe Vapors, LLC, VapeWithAloha, Hawaii Smokers Alliance, and many individuals opposed this measure. The Department of Health provided comments.



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Your Committee has amended this measure by:

- (1) Clarifying that counties may enact ordinances that are more protective of public health than state law; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

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 H.B. No. 1284, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1284, H.D. 1, and be referred to your Committee on Labor & Public Employment.

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

MIZUNO Chair



State of Hawaii House of Representatives The THIRTIETH Legislature



Record of Votes of the Committee on Health

Bill/Resolution No.:	Committee Referral: HIT, LAB; JU	Date:	2-5-1	9 m
□ 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) 				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)				
2. KOBAYASHI, Bertrand (VC)				
3. BELATTI, Della Au			0.000001.00000.01.000000.1.1.001.1.0.0	
4. NAKAMURA, Nadine K.				
5. SAN BUENAVENTURA, Joy A.				
6. SAY, Calvin K.Y.			under som	
7. TOKIOKA, James Kunane				
8. WARD, Gene				
o. WARD, Gene				
				<u> </u>
TOTAL (8)	7		· · · · · · · · · · · · · · · · · · ·	
The recommendation is: Adopted Instruction If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				