STAND. COM. REP. NO. **593**

Honolulu, Hawaii FEB 1 5 2019

RE: S.B. No. 182

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 182 entitled:

"A BILL FOR AN ACT RELATING TO COUNTY AUTHORITY ON THE SALE OF TOBACCO PRODUCTS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Specify that nothing in chapter 328J, Hawaii Revised Statutes, the state smoking law, shall be construed to supersede or affect a county's ability to adopt and enforce ordinances that regulate the sale or use of cigarettes, tobacco products, and electronic smoking devices; provided that the ordinances are no less protective of public health than the state smoking law; and
- (2) Repeal a provision in the state smoking law that preempts local smoking ordinances and regulations.

Your Committees received testimony in support of this measure from the Department of Health, County Council of the County of Maui, American Heart Association, American Lung Association, Hawai'i Primary Care Association, Lanai Community Health Center, Blue Zones Project, American Cancer Society Cancer Action Network, Hawaii Public Health Institute, O'ahu County Committee on

Legislative Priorities of the Democratic Party of Hawai'i, and six individuals. Your Committees received testimony in opposition to this measure from Black Lava Vape; VOLCANO Fine Electric Cigarettes; Hawaii Smokers Alliance; Hi Lyfe Vaporz, LLC; and twenty-four individuals.

Your Committees find that tobacco use causes over one thousand deaths in Hawaii every year, in addition to substantial costs in direct health care expenditures and lost productivity. Your Committees further find that although the State has enacted numerous tobacco control policies, different communities within the State have individual situations that require different, specific regulatory solutions. This measure will allow the State to set minimum standards of tobacco control while giving the counties the freedom and flexibility to establish further regulatory measures that are individually tailored to their specific needs.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 182 and recommend that it pass Second Reading and be referred to your Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committees on Public Safety, Intergovernmental, and Military Affairs and Commerce, Consumer Protection, and Health,

The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Public Safety, Intergovernmental, and Military Affairs PSM

Bill / Resolution No.:*	Committee		Da	te:	100					
SB 182	PSM/CPH, JDC 2/11/19									
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye /	Aye (WR)	Nay	Excused					
NISHIHARA, Clarence K. (C)		V/	-							
WAKAI, Glenn (VC)		V /								
BAKER, Rosalyn H.										
HARIMOTO, Breene										
FEVELLA, Kurt										
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TOTAL		5	Ø	0	Ø					
Recommendation: Adopted Not Adopted										
Chair's or Designee's Signature:										
Distribution: Original File with Committee Re	Pink Goldenrod eport Clerk's Office Drafting Agency Committee File Copy									

^{*}Only one measure per Record of Votes

The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Commerce, Consumer Protection, and Health CPH

Bill / Resolution No.:*	Committee	Committee Referral:		Date:					
SB 182	PSM/C	PSM/CPH Jtx			2/11/19				
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members	Members		Aye (W	'R)	Nay	Excused			
BAKER, Rosalyn H. (C)		V							
CHANG, Stanley (VC)		V							
KEOHOKALOLE, Jarrett		V							
NISHIHARA, Clarence K.		V							
RUDERMAN, Russell E.		/							
THIELEN, Laura H.		<u> </u>							
FEVELLA, Kurt		V							
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TOTAL		<u> </u>							
Recommendation: Adopted Not Adopted									
Chair's or Designee's Signature:									
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