

STAND. COM. REP. NO.

314

Honolulu, Hawaii

FEB 14 2013

RE: S.B. No. 642

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 642
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to require
cigarettes and tobacco products to be stored for sale behind a
counter in certain establishments.

Your Committee received testimony in support of this measure
from fifteen individuals. Your Committee received testimony in
opposition to this measure from one individual.

Your Committee finds that the tobacco industry spends more
than \$12,000,000,000 annually on advertising and marketing its
products in the United States. Each year, tobacco companies spend
over \$42,000,000 promoting their brands in stores throughout
Hawaii. The National Cancer Institute has reported that the total
weight of evidence from multiple studies demonstrates a causal
relationship between tobacco advertising and promotion and
increased tobacco use.

Your Committee further finds that retail stores are given
incentives to place tobacco advertisements and products in
strategic locations near the cash register, known as a point-of-
sale, or in self-service displays. Research indicates the
presence of these products and advertisements may stimulate
impulse purchases. Furthermore, a 2009 study found that frequent
visits to stores selling tobacco and a greater awareness of

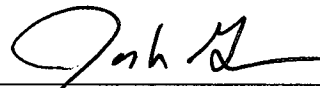


cigarettes sold in stores increased the likelihood of teenagers being susceptible to initiating smoking, experimenting with smoking, or becoming smokers.

Your Committee has heard testimony expressing a concern that there are some remaining questions about the constitutionality of this measure. Your Committee finds that this issue merits further consideration and requests that your Committee on Commerce and Consumer Protection further examine this issue if they choose to schedule this measure for a hearing.

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. 642 and recommends that it pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

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

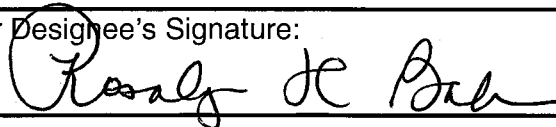


JOSH GREEN, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 642	Committee Referral: HTH, CPN	Date: 02/11/2013		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam.			✓	
TOTAL	4	-	1	-
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes