

Honolulu, Hawaii

APR 26 2019

RE: S.B. No. 1405
S.D. 2
H.D. 2
C.D. 1

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

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

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1405, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRONIC SMOKING PRODUCTS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose and intent of this measure is to deter the sale and use of electronic smoking products.

Specifically, this measure:

- (1) Establishes the offense of unlawful shipment of e-liquid products;
- (2) Increases tobacco wholesaler or dealer license fees and retail permit fees; and



- (3) Increases administrative fines and criminal penalties for electronic smoking devices by persons under the age of twenty-one years.

Your Committee finds that the State should take appropriate measures to prevent persons under the age of twenty-one years from engaging in the possession of electronic smoking products.

Your Committee has amended this measure by deleting its substantive provisions and inserting language to:

- (1) Require public school teachers and educators to confiscate electronic cigarettes from students under twenty-one years of age;
- (2) Require the Department of Health to establish a Safe Harbor Program by which persons under the age of twenty-one may dispose of electronic cigarettes in their possession;
- (3) Increase the administrative fine to \$100 for persons under the age of twenty-one for certain electronic smoking device infractions;
- (4) Change the effective date to July 1, 2019; and
- (5) Make technical nonsubstantive changes for purposes of clarity, consistency, and style.

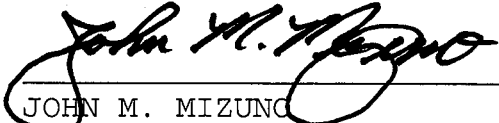
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1405, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1405, S.D. 2, H.D. 2, C.D. 1.



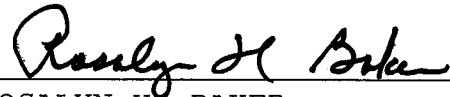
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE




JOHN M. MIZUNO
Co-Chair



ROSALYN H. BAKER
Chair



ROY M. TAKUMI
Co-Chair



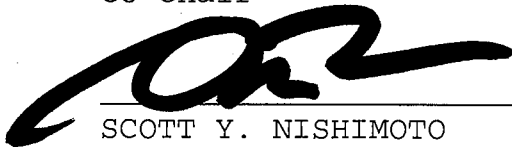
KARL RHOADS
Co-Chair



CHRIS LEE
Co-Chair



GIL RIVIERE
Co-Chair



SCOTT Y. NISHIMOTO
Co-Chair



Hawai'i State Legislature

CCR187

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 1405, SD 2, HD 2	Date/Time: <i>4:37 p- 4-26-2019</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				MIZUNO, John M., Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				TAKUMI, Roy M., Co-Chr.	✓			
RIVIERE, Gil, Co-Chr.	✓				LEE, Chris, Co-Chr.	✓			
NISHIHARA, Clarence K.	✓				NISHIMOTO, Scott Y., Co-Chr.	✓			
FEVELLA, Kurt				✓	MATSUMOTO, Lauren	✓			
TOTAL	4	-	-	1	TOTAL	5	-	-	-

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: <i>Rosalyn H. Baker</i>	House Lead Chair's or Designee's Signature: <i>John M. Mizuno</i>
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