



LATE

**American Heart Association Testimony in Support of the Intent of SB 2691,
"Relating to Chapter 245, Hawaii Revised Statutes"**

The American Heart Association supports the intent of SB 2691.

Youth use of electronic smoking devices (ESD) in Hawaii has increased by over 10-fold over the last four years, largely due to unregulated marketing by ESD companies and retailers which make veiled claims that their products carry no health risks, and the addition of fruit and candy flavorings that appeal to youths.

This increase in teen addiction to nicotine is alarming. A recent study published by the University of Hawaii Cancer Center found that youths who use ESDs are much more likely to eventually graduate to smoking conventional cigarettes than those who don't. Any increases in smoking threatens to undue hard-earned success by the AHA and its health partners to reduce heart disease and stroke death rates, which remain Hawaii's number one and number three killers, with stroke remaining the state's leading cause of major disability.

Another recent study, conducted at the University of California, San Francisco, showed that nicotine use in adolescents can hinder brain development, which can lead to increased risk-taking, impulsiveness, novelty seeking, vulnerability to using and subsequent addiction to drugs.

The AHA feels it important for Hawaii legislators to take action in regulating ESDs to prevent a reversal in the successes the state has achieved in reducing tobacco use among its youths. SB 2691, by increasing the cost of these products, would add a deterrent to youths looking to experiment, similar to the way that increased taxes on conventional cigarettes have. The AHA also urges that a portion of the tax on ESDs be allocated toward community education, prevention and control efforts related to use of those products.

Respectfully submitted,

Donald B. Weisman
Hawaii Government Relations Director



LATE

99-082 Kauhale St, Suite #B1
Aiea, Hawaii 96701
(808) 486-0402
Devin@pcgamerzhawaii.com

To: Senator Rosalyn H. Baker, Chair, Senator Michelle N. Kidani, Vice Chair and members of the committee

Re: Opposition to SB2691

Hearing: Saturday, February 6, 2016 9:00 am

Thank you for allowing me to speak my name is Devin Wolery from PC Gamerz & Hawaii Vapers United Association.

- The definition in this bill would cause many issues on local economy.
 - By doing this, many shops would close.
 - The current local customers would switch to purchasing online, which would get the state no income. As online sales which are supposed to be reported and taxed, are not.
 - We as a state always push to support local. This would burden everyone.
 - 75-100+ vape shops are mom and pop businesses. They are not tied to big tobacco.
 - Big tobacco uses current distribution networks. Such as gas stations and convenience stores.
 - Vape shops do not. They put their livelihood on the line, by opening up their own stores.
 - The definition needs to change. And we need to wait for the FDA rulings.
- Electronic Smoking devices, IE Vape products are not Tobacco
 - People that vape, are anti tobacco. We want to get away from the smokers.
 - Devices and atomizers, coils, drip tips, tanks and any other accessory that is sold ala carte, does not contain nicotine and therefore should not be classified as a tobacco product.
 - If that is true for vape products, would that not also make it so that all rolling papers, lighters, glass "tobacco" pipes and other accessories would also be tobacco products?
 - **This bill is internally contradictory. The E-liquid section of the bill states that if it is sold without nicotine it would be exempt from the tax altogether. Therefore any of the devices sold separately would be without nicotine and should be exempt as well**
- E-cigarettes are already more expensive than cigarettes.
 - Many users do not use cigalikes which are \$20-50 for a starter pack. Currently.
 - Majority of vape shop customers use A la carte devices that cost upwards of \$150-300 per combined kit.
 - Eliquid costs are already high at \$12 for a 15ml up to \$70 for a 120ml bottle.
 - Because they are buying more quantity upfront that saves them in the long run they should be punished?
 - Should we make a wasteful tax for buying more than we can use from Costco?



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Devin@pcgamerzhawaii.com

- If this definition passes in ANY of the bills through the session.
 - It WILL guarantee a black market on the island. Putting many tax paying shops out of business.
 - There is already a black market on Craigslist and Facebook Groups.
 - Those outlets for the products are completely unregulated and do not hold themselves to the standards we want in place for the vape industry.
 - More people will get sick or hurt from this over reach.
 - Please defer this bill and consider discussion with Hawaii Vapers United Association.

If you are looking to drive revenue let me remind you that 40% of sales are non-nicotine, so no tax revenue. If you basically double the price, you are going to drive all sales to black market or online from china, so no revenue. You will also put 100 shops out of business. And all local producers and manufacturers. Volcano alone has 70+ employees, you will lose all that revenue as well.

Thank you for allowing me to speak, I am available for questions

Devin Wolery
Hawaii Vapers United Association
Representing 100 stores, An estimated 10,000 users And over 600 workers

LATE

From: Stephanie Moir <twinkle_toez54@yahoo.com>
Sent: Friday, February 05, 2016 5:01 PM
To: CPH Testimony
Subject: Support for SB 2691, Relating to Chapter 245, HRS

Categories: Late

Date: February 6, 2016

To: The Honorable Rosalyn Baker, Chair
The Honorable Michelle Kidani, Vice Chair
Members of the Senate Committee on Commerce, Consumer Protection, and Health

Re: Strong Support of SB 2691, Relating to Chapter 245, Hawai'i Revised Statutes

Hrg: February 6, 2016 at 9:00am at Capitol Room 229

I strongly support SB 2691, which proposes a tax on disposable and reusable electronic smoking devices, including e-liquids containing nicotine.

Electronic smoking devices (ESDs), or e-cigarettes entered the market only six years ago, yet ESD usage rates are growing at alarming rates. It has surpassed the use of cigarettes, with ESD use among middle and high school students **TRIPLING** in a year's time. In Hawai'i, 1 in 5 adults and high school students and 1 in 10 middle school students smoke e-cigarettes.

Big tobacco companies are now all active in the e-cigarette business. They are using the same tobacco marketing tactics called out by the Surgeon General as predatory. Popular local e-liquid flavors include Kona coffee, Maui mango, Pele's papaya, and pineapple punch.

With e-cigarette use at an all-time high, the appeal of ESDs has to be curbed. ESDs are filled with nicotine and other toxic chemicals that are turned into a carcinogenic aerosol and inhaled by the user. The Centers for Disease Control and Prevention's April 2015 briefing stated: "It's important that everyone, parents and kids, understand that nicotine is dangerous for kids at any age, whether it's an e-cigarette, hookah, cigarette, or a cigar." Most ESDs contain nicotine, which causes addiction, may harm brain development, and could lead to continued tobacco product use among youth. These increases are driving an uptick in the total number of our children who are using tobacco products for the first time in a generation.

It is time for ESDs to be taxed similar to other tobacco products. Last year, 22 states proposed e-cigarette taxes. I ask that Hawai'i follow suit and continue being a leader in protecting our kids from dangerous addiction. I strongly support SB 2691 and ask you to pass this out of committee.

Mahalo,
Stephanie Moir

Stephanie Moir
Kukula St.
Waipahu, HI 96797

LATE

From: Nicole Xavier <nhxavier.16@gmail.com>
Sent: Friday, February 05, 2016 8:40 PM
To: CPH Testimony
Subject: Support for SB 2691, Relating to Chapter 245, HRS

Date: February 6, 2016

To: The Honorable Rosalyn Baker, Chair
The Honorable Michelle Kidani, Vice Chair
Members of the Senate Committee on Commerce, Consumer Protection, and Health

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Mahalo,

Nicole Xavier
Kapolei High School

Nicole Xavier
92-320 Kiowao Pl.
Kapolei, HI 96707

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 05, 2016 9:37 PM
To: CPH Testimony
Cc: justin@pcgamerzhawaii.com
Subject: Submitted testimony for SB2691 on Feb 6, 2016 09:00AM

SB2691

Submitted on: 2/5/2016

Testimony for CPH on Feb 6, 2016 09:00AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Justin Wolery | Individual | Oppose | No |

Comments: DO NOT PASS this absurd tax on vaping related products! There is ZERO evidence vaping devices cause cancer or other health effects and in fact are THE NUMBER ONE MOST EFFECTIVE SMOKING CESSATION DEVICE. This insanity needs to STOP. If these laws pass 2 of the nations largest vaping device online retailers will move out of the state of hawaii to arizona or colorado and most of the other local shops will go out of business as consumers continue to buy online. ALL YOU ARE DOING IS KILLING THE LOCAL ECONOMY STOP! Vaping devices are already just as expensive and in most cases MORE EXPENSIVE then smoking.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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