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Hawaii County Council limits e-cig use

By NANCY COOK LAUER
West Hawaii Today

Hawaii County likely will start the new year as the only county in the state banning electronic cigarettes at parks, beaches and other public places.

A 5-4 council majority late Wednesday passed Bill 302, prohibiting the use of electronic cigarettes anywhere smoking traditional cigarettes is banned. It would be the first such measure in the state.

Some 300 other municipalities in the nation have similar ordinances, said Council Chairman Dru Kanuha of Kona, who sponsored the bill.

The new law goes into effect upon Mayor Billy Kenoi's signature. A spokesman for the mayor said Thursday the administration will review the bill before deciding whether to sign it. Kenoi previously signed a similar tobacco use restriction.

"People have the right to smoke or use e-cigarettes. It is a personal choice. This bill doesn't take away those rights. It merely regulates where one can use these products," Kanuha said. "Our kupuna and our keiki also have the right to breathe clean, fresh air, whether relaxing at the beach or recreating at the park or enjoying a nice meal at a restaurant."

The bill had a 6-2 majority support in the old council when it was heard on first reading. But newly elected council members Aaron Chung, of Hilo, and Danny Paleka, of Puna, joined the previous dissenters, Hilo Councilman Dennis "Fresh" Onishi and Puna Councilman Greggor Ilagan.

Ilagan tried to temper the bill by banning e-cigarettes only in enclosed and partially enclosed structures owned or leased by the county government. But the open-air amendment failed by the same 5-4 majority.

"With the vapor, you don't know what's being released into the air," said Hamakua Councilwoman Valerie Poindexter. "I'm afraid because it's not regulated at this time."

Proponents of the bill said allowing people to "vape," as using the devices is called, would send the wrong message to youth.

A recent state Department of Health survey found the number of high school students who have used e-cigarettes at least once tripled from 5.1 percent in 2011 to 17.6 percent in 2013. E-cigarette use quadrupled among middle school

students from 1.8 percent to 7.9 percent during the same period.

Opponents said there is still no evidence e-cigarettes are harmful. They pointed to the increasing number of people using the devices as a way to wean themselves off traditional cigarettes and ultimately quitting nicotine altogether.

Onishi asked why the county doesn't put in penalties for youths using e-cigarettes or tobacco, if that's the concern. He characterized the county as going about the issue backward.

“If you wanted to protect the children, you should have enforcement in, first,” he said. “If they drink alcohol, they get arrested. But there is no penalty if a minor is caught using tobacco products or e-cigarettes.”

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