

[Home](#) » [News](#) » [Local News](#)

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County raises tobacco sale age to 21

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Hawaii County will join a small handful of local governments nationwide — and become the only county in the state — raising the tobacco sale age to 21, under a measure unanimously passed by the Hawaii County Council on Wednesday.

The bill, having sailed through three hearings at the County Council level, now goes to Mayor Billy Kenoi, who is expected to sign it. It will take effect July 1, with a grandfather period for those older than 18, the current age to buy tobacco, when the law takes effect.

"This is something we can show ourselves, our county, our state and our nation that we care about our youth," said Kona Councilman Dru Kanuha, who sponsored the bill. "It is not intended to criminalize young people if they are caught smoking."

The measure doesn't make it illegal for young people to smoke; it penalizes retail stores for selling tobacco products such as cigarettes, cigars and electronic cigarettes. Retailers selling to underage customers would be subject to a \$500 fine for the first offense and from \$500 to \$2,000 for subsequent offenses.

The council vote followed a parade of Kealahou students who testified about the adverse effect of smoking on themselves and family members.

Taylor Quanan, 16, said she's been smoking since age 14.

"Today, I am ashamed of being a smoker," she said.

But Bob Green, a Waikoloa veteran, said it's not right to ban sales of a legal product.

Federal law limits tobacco sales to those over 18.

"We can all agree that smoking is a terrible vice. ... so we have a filthy legal habit," Green said. "The question is, what is an adult and what are their rights? The age of majority is 18. ... Why is the council taking a select group of adults and deciding what legal activity they can and cannot do?"

While retailers in New York City and other towns that have raised the age limit have waned of loss of convenience store business, and consequently, jobs, the retailers have been largely quiet in Hawaii. Calls to the Retail Merchants of Hawaii, a trade group that lobbies for store owners, have not been returned, and no retailers testified in opposition at the county level.

If the bill is successful, Hawaii County would join two Massachusetts towns and New York City in raising the age to buy cigarettes, smokeless tobacco, electronic smoking devices and the like to 21.

Texas is among the state governments considering such a measure.

Some opponents say banning cigarette sales to young adults could force them to buy on the black market or through Internet sites, with lost taxes to the state and a dubious quality product.

The bill is supported by the Coalition for a Tobacco-Free Hawaii. Executive Director Jessica Yamauchi pointed to statistics showing 95 percent of smokers start smoking by age 21. There are more than double the smokers in the 18-to-20-year-old age bracket than 16 to 17 years old, she said.

"Many smokers turn to daily use between 18 and 21," Yamauchi said. "That is the critical time they transition into daily users."

In a separate action, the council unanimously agreed to use \$3,000 from Hilo Councilman Dennis Onishi's contingency relief funds to buy no-smoking signs for county parks and beaches. Council Chairman J Yoshimoto reflected on the controversy surrounding the 2008 park smoking ban, comparing that council action to how smoothly the sales age bill passed.

"There were passionate positions on both sides," Yoshimoto said. "It's becoming easier because it's the right thing to do."

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