

JAN 21 2011

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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that a special fund needs  
2 to be established for the state fire council for administration  
3 of the reduced ignition propensity cigarette program. Money for  
4 the fund should come from the fees collected by the state fire  
5 council under the program as provided for in section 132C-4,  
6 Hawaii Revised Statutes. Since the program's implementation on  
7 September 30, 2009, approximately \$370,000 has been collected.  
8 The special fund will be used to fund staff positions within the  
9 state fire council for an administrator and an assistant to  
10 execute the statutory duties of the program.

11           SECTION 2. Chapter 132C, Hawaii Revised Statutes, is  
12 amended by adding a new section to be appropriately designated  
13 and to read as follows:

14           "§132C-     Reduced ignition propensity cigarette program  
15 special fund. (a) There is established in the state treasury a  
16 reduced ignition propensity cigarette program special fund, into  
17 which shall be deposited all moneys collected by the state fire  
18 council from the reduced ignition propensity cigarette program



1 pursuant to section 132C-4. All interest earned or accrued on  
2 moneys deposited in the fund shall become part of the fund.

3 (b) Moneys in the reduced ignition propensity cigarette  
4 program special fund shall be administered and expended by the  
5 state fire council to defray the actual cost of activities and  
6 requirements of section 132C-4 by employing one full-time  
7 administrator and one full-time assistant whose duties include:

8 (1) Adopting administrative rules for program  
9 implementation, establishing compliance inspections,  
10 and approving forms and enforcement procedures and  
11 guidelines;

12 (2) Receiving, verifying, and approving certifications for  
13 approximately six hundred different brands and styles  
14 of cigarettes from the manufacturers;

15 (3) Compiling a list of the approved brands, verifying tax  
16 stamp compliance with the department of the attorney  
17 general, and posting the list on a state website;

18 (4) Reviewing and approving, as needed, any alternative  
19 test methods or fire standard compliance markings  
20 submitted by the manufacturer; and



1       (5) Submitting compliance tests to an accredited lab to  
2       verify that performance standards have been met, if  
3       needed."

4       SECTION 3. Section 132C-4, Hawaii Revised Statutes, is  
5 amended by amending its title and subsection (a) to read as  
6 follows:

7       " ~~[+] §132C-4~~ Certification; marking; administration.

8       (a) Each manufacturer shall submit to the state fire council  
9 written certification attesting that each cigarette has been  
10 tested in accordance with, and has met the performance standard  
11 required under section 132C-3. The description of each  
12 cigarette listed in the certification shall include:

- 13       (1) The brand or trade name on the package;
- 14       (2) Style, such as light or ultra light;
- 15       (3) Length in millimeters;
- 16       (4) Circumference in millimeters;
- 17       (5) Flavor, such as menthol, if applicable;
- 18       (6) Filter or nonfilter;
- 19       (7) Package description, such as a soft pack or box;
- 20       (8) The mark approved pursuant to subsection (b);



- 1           (9) The name, address, and telephone number of the
- 2                   laboratory, if different than the manufacturer that
- 3                   conducted the test; and
- 4           (10) The date that the testing occurred.

5           Each cigarette certified under this subsection shall be  
6 recertified every three years. For each cigarette listed in a  
7 certification, a manufacturer shall pay to the state fire  
8 council a \$375 fee. The state fire council is authorized to  
9 annually adjust this fee to ensure it defrays the actual costs  
10 of the administration and staffing requirements and processing,  
11 testing, enforcement, inspection, and oversight activities  
12 required by this chapter.

13           The certifications shall be made available to the attorney  
14 general for purposes consistent with this chapter."

15           SECTION 4. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17           SECTION 5. This Act shall take effect on July 1, 2011.

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INTRODUCED BY: Will Engro  
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**Report Title:**

Fire Protection; Reduced Ignition Propensity Cigarette Program  
Special Fund

**Description:**

Establishes a reduced ignition propensity cigarette program special fund for the state fire council to administer and provide staff for the reduced ignition propensity cigarette program.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

