



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
State Fire Council
830 Punchbowl Street
Honolulu, Hawaii 96813

February 6, 2008

The Honorable Russell S. Kokubun, Chair
Committee on Commerce, Consumer Protection,
and Affordable Housing
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

Dear Chair Kokubun:

Subject: S.B. 2128 - Relating to Cigarettes

I am Kenneth G. Silva, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD).

Between 2003 and 2005, 216 fires were caused by cigarettes and resulted in \$283,570 in property damage and three injuries. While we support the intent of S.B. 2128 concerning the sale and use of reduced ignition propensity fire cigarettes, which help reduce the number of fire incidents, dollar loss, and injuries statewide, the SFC and the HFD disagree that the State Department of the Attorney General (DAG) should be the agency responsible for the administration and implementation of a fire-safe cigarette program.

Senate Concurrent Resolution 32 required the DAG to conduct a study of how a reduced ignition propensity cigarette law could be implemented in Hawaii. The DAG conducted an in-depth study and concluded that the SFC should be the agency to implement and administer such a law. The DAG would assist as an enforcement arm for the law. We concur with the DAG's conclusions.

The measure should also include SFC funding for personnel to adopt rules and implement, administer, and sustain enforcement of the law. Funds may be provided either through the state or from a manufacturer's assessment fee of each type of cigarette packaging that will be distributed or sold in the state.

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The proposal also compels the SFC to accept any approved marking currently being used for the sale of cigarettes in the states of New York, California, or Vermont and does not consider the fire standards compliant markings as an alternative for approval.

Although the SFC and the HFD support the passage of law requiring that only reduced ignition propensity cigarettes be sold in Hawaii, based on the above-mentioned testimony and S.B. 2128's current language, we request your committee's opposition of S.B. 2128 unless the concerns are addressed.

Should you have any questions, please call SFC Legislative Liaison Lloyd Rogers at 723-7173.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kenneth G. Silva".

KENNETH G. SILVA
Chair

KGS/LR:cn