

STAND. COM. REP. NO.

1330

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 686  
H.D. 1  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 686, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES,"

begs leave to report as follows:

The purpose of this measure is to delay the implementation of the reduced ignition propensity cigarette law and provide the State Fire Council with the means to cover the cost of enforcing it.

Specifically, this measure:

- (1) Establishes a special revolving fund to be administered by the State Fire Council;
- (2) Requires that the cigarette manufacturer certification fees be deposited into the special revolving fund;
- (3) Allows the State Fire Council to use moneys from the fund to pay for any costs associated with administering the reduced ignition propensity cigarette program, including hiring personnel; and
- (4) Delays the implementation of the reduced ignition propensity cigarette program until September 30, 2010.



Your Committee received four written comments on this measure. The written comments may be reviewed on the Legislature's website.

Your Committee finds that the State Fire Council consists of only one part-time employee funded by the State Department of Labor and Industrial Relations. Your Committee believes that due to this staffing shortage, the State Fire Council would benefit from delaying the implementation of the reduced ignition propensity cigarette program.

Your Committee is concerned that the revolving fund established by this measure may not meet the clear nexus criteria for a revolving fund under section 37-52.4, Hawaii Revised Statutes. Furthermore, your Committee acknowledges the concern that the cigarette manufacturer certification fees may not provide sufficient funding to support the State Fire Council's duties and responsibilities.

Accordingly, your Committee has amended this measure by deleting the revolving fund and making technical amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 686, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 686, H.D. 1, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,




DONNA MERCADO KIM, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>HB 686, HD1, SD1</b>	Committee Referral: <b>CPN/PSM, WAM</b>	Date: <b>4-8-2009</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton	/			
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
<b>TOTAL</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes