
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 the state fire
2 council needs to employ an administrator and an assistant to
3 administer, enforce, inspect, and provide oversight for the
4 reduced ignition propensity cigarette program under chapter
5 132C, Hawaii Revised Statutes. The fees collected pursuant to
6 the reduced ignition propensity cigarette program are intended
7 to be used by the state fire council, are renewable every three
8 years, and since the program was implemented on September 30,
9 2009, amount to nearly \$370,000.

10 The purpose of the Act is to create a reduced ignition
11 propensity cigarette special fund to assist the state fire
12 council to carry out its statutory duties.

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

16 "§132C- Reduced ignition propensity cigarette program
17 special fund. (a) There is established in the state treasury
18 the reduced ignition propensity cigarette program special fund



1 into which shall be deposited moneys collected pursuant to
2 section 132C-4 and legislative appropriations. All interest
3 earned or accrued on moneys deposited in the fund shall become
4 part of the fund.

5 (b) The reduced ignition propensity cigarette program
6 special fund shall be administered by the state fire council and
7 shall be used for administering, operating, monitoring, and
8 ensuring compliance with and enforcement of sections 132-16(c)
9 and 132C-4(a).

10 (c) All unencumbered and unexpended moneys in excess of
11 \$ _____ remaining in the balance of the reduced ignition
12 propensity cigarette program special fund at the end of every
13 third fiscal year, beginning on June 30, 2014, shall lapse to
14 the credit of the state general fund."

15 SECTION 3. Section 132-16, Hawaii Revised Statutes, is
16 amended to read as follows:

17 1. By amending its title to read:

18 "**§132-16 State fire council; composition; administrative**
19 **staff; functions.**"

20 2. By amending subsection (c) to read:

21 "(c) The state fire council may also:



- 1 (1) Appoint advisory committees comprised of
2 representatives from each county fire department to
3 assist in drafting the state fire code and
4 coordinating statewide training, data collection, and
5 contingency planning needs for firefighters; ~~and~~
- 6 (2) Advise and assist the county fire departments where
7 appropriate, may prescribe standard procedures and
8 forms relating to inspections, investigations, and
9 reporting of fires, may approve plans for cooperation
10 among the county fire departments, and may advise the
11 governor and the legislature with respect to fire
12 prevention and protection, life safety, and any other
13 functions or activities for which the various county
14 fire departments are generally responsible[-]; and
- 15 (3) Employ an administrator and administrative assistant,
16 exempt from chapters 76 and 89, at the discretion of
17 the state fire council. The administrator shall have
18 full power to administer the affairs of the council,
19 subject to the direction and approval of the council.
20 The state fire council shall determine the
21 compensation for the administrator and the



1 administrative assistant. The administrator and
2 administrative assistant shall be responsible for:
3 (A) Daily operations of the state fire council;
4 (B) Administering the adoption of the state fire
5 code;
6 (C) Applying for and expending federal grants and
7 assistance for fire related projects;
8 (D) Administering the reduced ignition propensity
9 cigarette program;
10 (E) Coordinating statewide fire and life safety
11 training, education, and data collection; and
12 (F) Other related duties as directed by the council;
13 provided that the budgetary requirements for conducting meetings
14 and other related functions of the state fire council, including
15 the salaries of the administrator and administrative assistant,
16 shall be included in the budget of the department of labor and
17 industrial relations."

18 SECTION 4. Section 132C-4, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) Each manufacturer shall submit to the state fire
21 council written certification attesting that each cigarette has
22 been tested in accordance with, and has met the performance



1 standard required under section 132C-3. The description of each
2 cigarette listed in the certification shall include:

- 3 (1) The brand or trade name on the package;
- 4 (2) Style, such as light or ultra light;
- 5 (3) Length in millimeters;
- 6 (4) Circumference in millimeters;
- 7 (5) Flavor, such as menthol, if applicable;
- 8 (6) Filter or nonfilter;
- 9 (7) Package description, such as a soft pack or box;
- 10 (8) The mark approved pursuant to subsection (b);
- 11 (9) The name, address, and telephone number of the
12 laboratory, if different [~~than~~] from the manufacturer
13 that conducted the test; and
- 14 (10) The date that the testing occurred.

15 Each cigarette certified under this subsection shall be
16 recertified every three years. For each cigarette listed in a
17 certification, a manufacturer shall pay to the state fire
18 council a \$375 fee. The state fire council is authorized to
19 annually adjust this fee to ensure it defrays the actual costs
20 of the processing, testing, enforcement, inspection, and
21 oversight activities required by this chapter[-], as well as any
22 administrative and staffing costs.



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

3 SECTION 5. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2011-2012 to be
6 deposited into the reduced ignition propensity cigarette program
7 special fund created in section 1 of this Act.

8 SECTION 6. There is appropriated out of the reduced
9 ignition propensity cigarette program special fund the sum of
10 \$ or so much thereof as may be necessary for fiscal
11 year 2011-2012 for:

12 (1) The establishment of one full-time equivalent
13 permanent administrator and one full-time equivalent
14 permanent administrative assistant for the state fire
15 council; and

16 (2) Any other requirement deemed necessary to carry out
17 the purposes of the fund.

18 The sums appropriated shall be expended by the state fire
19 council for the purposes of this Act.

20 SECTION 7. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 8. This Act shall take effect on July 1, 2011.

2

INTRODUCED BY:

[Handwritten signatures and names]
The text "INTRODUCED BY:" is followed by several handwritten signatures and names, some of which are underlined. The names include "Byron", "Quarles", "Jy Cuba", "Mauf B. Lee", "Jim O'Neil", and "H. A. ...".

JAN 21 2011



Report Title:

Fire Protection; Reduced Ignition Propensity Cigarette Program
Special Fund

Description:

Establishes the reduced ignition propensity cigarette program special fund to be funded by fees collected from cigarette manufacturers to administer and provide staff for the reduced ignition propensity cigarette program. Authorizes the state fire council to employ administrative staff.

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

