



GOV. MSG. NO. 1293

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 5, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

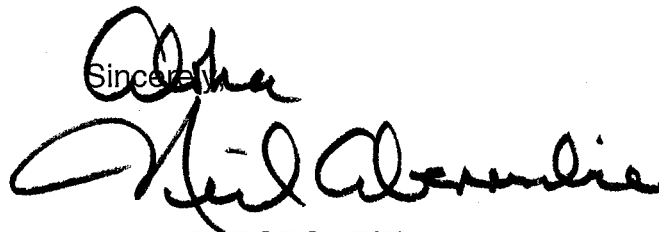
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on July 5, 2011, the following bill was signed into law:

HB605 HD2 SD2 CD1

RELATING TO PUBLIC SAFETY.
Act 189 (11)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

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 \$390,000 has been collected.
 8 The special fund will be used to, among other things, fund staff
 9 positions within the state fire council for an administrator and
 10 an assistant to 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, including employing one full-
7 time administrator and one full-time assistant whose duties
8 include:

- 9 (1) Adopting administrative rules for program
10 implementation, establishing compliance inspections,
11 and approving forms and enforcement procedures and
12 guidelines;
- 13 (2) Receiving certifications for approximately six hundred
14 different brands and styles of cigarettes from the
15 manufacturers;
- 16 (3) Compiling a list of the cigarette brands and styles
17 for which manufacturers have submitted certifications,
18 verifying tax stamp compliance with the department of
19 the attorney general, and posting the list of
20 certified brands and styles on a state website for
21 informational purposes only;



- 1 (4) Reviewing and approving, as needed, any alternative
2 test methods or fire standard compliance markings
3 submitted by the manufacturer; and
4 (5) If needed, submitting certified cigarettes to an
5 accredited laboratory for testing to verify that
6 performance standards have been met."

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

10 "[+]§132C-4[+] Certification; marking[-]; administration.

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

- 16 (1) The brand or trade name on the package;
17 (2) Style, such as light or ultra light;
18 (3) Length in millimeters;
19 (4) Circumference in millimeters;
20 (5) Flavor, such as menthol, if applicable;
21 (6) Filter or nonfilter;
22 (7) Package description, such as a soft pack or box;



- 1 (8) The mark approved pursuant to subsection (b);
- 2 (9) The name, address, and telephone number of the
- 3 laboratory, if different than the manufacturer that
- 4 conducted the test; and
- 5 (10) The date that the testing occurred.

6 Each cigarette certified under this subsection shall be

7 recertified every three years. For each cigarette listed in a

8 certification, a manufacturer shall pay to the state fire

9 council a \$375 fee[-] to be deposited into the reduced ignition

10 propensity cigarette program special fund under section 132C-

11 The state fire council is authorized to annually adjust this fee

12 to ensure it defrays the actual costs of the administration and

13 staffing requirements and processing, testing, enforcement,

14 inspection, and oversight activities required by this chapter.

15 The certifications shall be made available to the attorney

16 general for purposes consistent with this chapter."

17 SECTION 4. Statutory material to be repealed is bracketed

18 and stricken. New statutory material is underscored.

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



H.B. NO. 605
H.D. 2
S.D. 2
C.D. 1

APPROVED this 5 day of JUL , 2011

Mil Abernethi

GOVERNOR OF THE STATE OF HAWAII