

Honolulu, Hawaii

April 25, 2008

RE: H.B. No. 2438  
H.D. 2  
S.D. 2  
C.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2438, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CIGARETTES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to increase fire safety in Hawaii by requiring that only reduced ignition propensity cigarettes be sold in the state.

Your Committee has amended this bill by, among other things:

- (1) Increasing the number of years from two to three years after which cigarettes certified by this bill must be recertified;
- (2) Increasing the certification fee a manufacturer must pay to the State Fire Council from \$250 to \$350;



- (3) Deleting the provision specifying that cigarettes sold or offered for sale that do not comply with the required performance standard are considered contraband that may be seized with or without a warrant by the Attorney General;
- (4) Specifically charging the State Fire Council with administering requirements for reduced ignition propensity cigarettes;
- (5) Changing the effective date to September 30, 2009; and
- (6) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2438, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2438, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

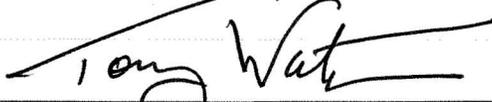
  
RUSSELL S. KOKUBUN, Chair

  
JOSHUA B. GREEN, M.D., Co-Chair

  
DAVID Y. IGE, Co-Chair

  
ROBERT N. HERKES, Co-Chair

  
BRIAN T. TANIGUCHI, Co-Chair

  
TOMMY WATERS, Co-Chair

  
JOHN MIZUNO, Co-Chair



**Record of Votes of a  
Conference Committee**

Bill / Concurrent Resolution No.: HB 2438, HD 2, SD 2	Date/Time: <u>4/25/8</u>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KOKUBUN, Russell S., Chr.	✓				GREEN, Josh, M.D., Co-Chr.	✓			
IGE, David Y., Co-Chr.	✓				HERKES, Robert N., Co-Chr.	✓			
TANIGUCHI, Brian T., Co-Chr.				✓	WATERS, Tommy, Co-Chr.				✓
					MIZUNO, John, Co-Chr.	✓			
					YAMANE, Ryan I.	✓			
					WARD, Gene, Ph.D.	✓			
<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>1</b>

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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**Distribution:**      **Original**      **Yellow**      **Pink**      **Goldenrod**  
 File with Conference Committee Report      House Clerk's Office      Senate Clerk's Office      Drafting Agency