

WRITTEN ONLY

TESTIMONY BY GEORGINA K. KAWAMURA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEE ON PUBLIC SAFETY
ON
HOUSE BILL NO. 686

February 12, 2009

RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES

House Bill No. 686 delays the implementation of the reduced ignition propensity cigarettes law to September 30, 2010, and creates a special revolving fund to receive a \$375 fee every three years from the manufacturer for certification testing and authorizes the State Fire Council to expend the funds to cover the personnel and program costs.

We have concerns with this bill. As a matter of general policy, this department does not support the creation of any special or revolving fund which does not meet the requirements of Sections 37-52.3 and 37-53.4 of the Hawaii Revised Statutes. Special or revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining. Although the State Fire Council is authorized to annually adjust the certification fee, it is difficult to determine whether the fund will be self-sustaining.

Bernard P. Carvalho, Jr.
Mayor



Robert F. Westerman
Fire Chief

John T. Blalock
Deputy Fire Chief

COUNTY OF KAUAI
Fire Department
Mo'ikeha Building
4444 Rice Street, Suite 295
Lihu'e, Kaua'i, Hawaii 96766

February 10, 2009

The Honorable Faye P. Hanohano, Chair
Committee on Public Safety
House of Representatives
State Capitol, Room 303
Honolulu, Hawaii 96813

Dear Chair Hanohano:

Subject: H.B. 686 Relating to the Reduced Ignition Propensity Cigarette (RIPC) Program

I am Robert F. Westerman, member of the State Fire Council (SFC) and Fire Chief of the Kauai Fire Department (KFD). The SFC and the KFD support H.B. , which proposes to extend the RIPC compliance date from September 30, 2009 to September 30, 2010 and to establish a special revolving fund for the State Fire Council from the program fees. The extension is needed for the state fire council to hire staff personnel to accomplish the following:

1. Adopt administrative rules for program implementation; establish compliance inspections, approved forms and enforcement procedures and guidelines.
2. Receive, verify and approve certifications for approximately 1,100 different brands of cigarettes from the manufacturers.
3. Compile a listing of all the approved brands, verify with attorney general's office for state tax stamp compliance and post on a state website.
4. Review and approve, as needed, any alternative test methods or fire standard compliance markings submitted by a manufacturer.
5. Submit compliance testing to an accredited lab to verify all performance standards have been met, if needed.

The special revolving fund is needed to allow the SFC to use the certification fees from the cigarette manufacturers to hire staff personnel and to cover the cost of processing, testing, and any oversight activities required by the program. The SFC currently has one part-time staff employee funded by the state, who is already tasked with other council duties, including application/administration of training grants, state fire code adoption process, coordination of council meetings and travel and other daily council duties.

The SFC and the KFD urge your committee's support on the passage of H.B. 686 to administer this important program that will reduce the number of cigarette caused fires in our state.

Should you have any questions, please call me at 241-4980.

Sincerely,

A handwritten signature in black ink that reads "Robert Westerman".

Robert F. Westerman
Fire Chief

RFW/LR:cz



COALITION FOR A
TOBACCO-FREE HAWAII

To: Representative Faye P. Hanohano, Chair, House Public Safety Committee
Representative Henry J.C. Aquino, Vice Chair, House Public Safety Committee
Members, House Committee on Public Safety
From: Trisha Y. Nakamura, Policy and Advocacy Director 
Date: February 11, 2009
Hrg: House Public Safety Committee; February 12, 2009 at 8:30 a.m.
Re: **Support for HB 686, Relating to Reduced Ignition Propensity Cigarettes**

Thank you for the opportunity to comment in support of HB 686 which delays the implementation of the reduced ignition propensity cigarettes law (Act 218 of the 2008 Session Laws of Hawaii).

The Coalition for a Tobacco Free Hawaii (Coalition) is the only independent organization in Hawaii whose sole mission is to reduce tobacco use through education, policy and advocacy. The Coalition provides leadership for the tobacco control community, develops networks, helps coordinate tobacco control programs and builds community awareness.

In 2008, the Coalition testified in support of HB 2438, the measure that became the reduced ignition cigarettes law. Reduced ignition propensity cigarettes will reduce harms caused by cigarette-smoking. Here, a reduction in the number of cigarette fires which are the leading causes of fire deaths and property damage in the United States.

The Coalition appreciates the Legislature's current effort to ensure thorough and appropriate implementation of the reduced ignition propensity cigarettes law by the State Fire Council. HB 686 aims to ensure that the State Fire Council is adequately equipped and funded to administer the reduced ignition propensity cigarette program and ensure proper enforcement of the law.

Thank you for the opportunity to testify on this matter.