

STAND. COM. REP. NO.

3434

Honolulu, Hawaii

APR 04 2008

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

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

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2438, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CIGARETTES,"

begs leave to report as follows:

The purpose of this measure is to require that only reduced
ignition propensity cigarettes be sold in the State.

Your Committee received testimony in support of this measure
from the State Attorney General, State Fire Council, and Kauai
Fire Department.

Your Committee finds that, under this measure, reduced
ignition propensity cigarettes will be regulated by testing.
Testing of cigarettes shall be conducted in accordance with the
American Society of Testing and Materials standard E2187-04
"Standard Test Method for Measuring the Ignition Strength of
Cigarettes." The State Fire Council may adopt as rules pursuant
to chapter 91, Hawaii Revised Statutes, a subsequent American
Society of Testing and Materials Standard Test Method for
Measuring the Ignition Strength of Cigarettes upon a finding that
the subsequent method does not result in a change in the
percentage of full-length burns exhibited by any tested cigarette
when compared to the percentage of full-length burns the same
cigarette would exhibit when tested in accordance with American
Society of Testing and Materials standard E2187-04 and the
performance standard set by this measure.

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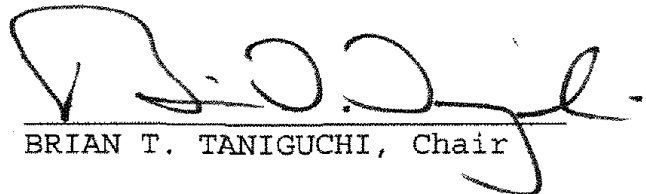
According to previous testimony of the State Fire Council on this measure, similar legislation has been adopted in twenty-two other states, which affects fifty-two per cent of the United States and Canada. Fifteen states have pending legislation to require reduced ignition propensity cigarettes.

Your Committee has amended this measure by:

- (1) Making clarifying amendments regarding contraband and seizure of such, on the recommendation of the State Attorney General;
- (2) Making a technical conforming amendment to authorize the State Fire Council to test the cigarettes under this measure; and
- (3) Changing the effective date to upon approval, and to be implemented to coincide with the excise tax incremental increase on cigarettes effective September 30, 2009.

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

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



BRIAN T. TANIGUCHI, Chair



