

**HB**

**413**



# FISCAL NOTE

**STATE OF ALASKA**  
**2006 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 413(STA)  
 (H) Publish Date: 2/13/06

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An Act relating to the burning capability of cigarettes  
being sold, offered for sale, or possessed for sale..." RDU: Fire Prevention  
 Component: Fire Prevention Operations  
 Sponsor: Representative Joule  
 Requester: House State Affairs Committee Component No. 494

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | FY 2007    | FY 2008    | FY 2009    | FY 2010    | FY 2011    | FY 2012    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            |            |            |            |            |            |            |
| Supplies               |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|

**FUND SOURCE (Thousands of Dollars)**

|  |            |            |            |            |            |            |
|--|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts                  |            |            |            |            |            |            |
| 1003 GF Match                          |            |            |            |            |            |            |
| 1004 GF                                |            |            |            |            |            |            |
| 1005 GF/Program Receipts               |            |            |            |            |            |            |
| 1037 GF/Mental Health                  |            |            |            |            |            |            |
| Other (Specify Type—Do not abbreviate) |            |            |            |            |            |            |
| <b>TOTAL</b>                           | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2006) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

Deputy fire marshals of the Division of Fire Prevention will perform the compliance inspections concurrently with normally scheduled life safety inspections.

No fiscal impact to the Department of Public Safety is anticipated as a result of this legislation.

Prepared by: Director Gary Powell  
 Division: Fire Prevention  
 Approved by: Commissioner William Tandeske  
 Agency: Department of Public Safety

Phone 907-269-5491  
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**Alaska State Legislature**  
**REPRESENTATIVE REGGIE JOULE**

**SPONSER STATEMENT**

**"An Act relating to the burning capability of cigarettes being sold, offered for sale, or possessed for sale; and providing for an effective date."**

House Bill 413 identifies cigarettes as one of the leading causes of fire deaths. As such, HB 413 provides a way to reduce these incidents by instituting fire-safe cigarettes that are designed to extinguish when not being actively smoked. Annually, smoking materials are responsible for nearly 4% of all residential structure fires in Alaska alone. Within a 10-year period there were 163 wildfires attributed to lit cigarettes, resulting in 7,699 acres of Alaska being burned. Fire safe cigarettes represent an avenue to help prevent and reduce such incidents.

HB 413 sets the groundwork for establishing a state standard for fire safety. The state legislatures in California and New York have already enacted similar legislation and the states of Washington, Vermont, and Massachusetts are considering related policy. The National Fire Protection Association statistics document that nationally smoking materials in one year have led to 900 fire related deaths, 2,500 injuries, and \$410 million in property losses. HB 413 allows for Alaska to participate in a national movement to reduce the number of incidents caused by cigarette related fires. Fire safe cigarette standards serve to protect the public and the environment.

Cigarette related fires are contributing factors in an unnecessary financial loss not only to an individual, but also to the State and Federal governments. However, there has been no indication that fire safe cigarettes reduce the sale figures for manufacture's and with the adoption of similar standards by other states, consumer prices are expected to be minimally affected.

Human factors contribute to the incidents related to cigarette caused fires. In most occurrences a lighted tobacco product, which caused a fire, was the result of a smoker falling asleep with a lit cigarette. Fire safe cigarettes help reduce these human caused incidents of fire.

\* Smoking materials include cigarettes, cigars, and tobacco pipes. Out of all three of these materials cigarettes are the leading cause of fires.

## Fire Safe Cigarettes

### The Problem

Nationally, cigarette fires cause close to 1,000 deaths and 3,000 injuries each year in the United States. As the ignition source in fires responsible for over 25% of all fire deaths, cigarettes are the nation's largest single cause of such deaths. Property losses alone are over half a billion dollars. The economic costs in health care and productivity losses, and the human cost of pain and suffering raise total annual costs to an estimated \$6 billion dollars. Among all injury profiles, the one for cigarette fire injuries is unusually lethal. In fires attributed to dropped cigarettes, there is one death to every four injuries. Please note that smoking-related injuries started by matches or lighters were excluded for these statistics. This problem is not going away, as cigarette related fires are up 19% nationally.

The "fire-safe" cigarette concept addresses the typical scenario in which such injuries occur. In these cases, dropped cigarettes, because they are expressly manufactured not to go out until totally consumed, burn through the cover of a seat cushion or a mattress, starting fires, which may smolder for hours. These hidden fires produce toxic gases, which render sleeping victims even more unconscious before the cushion or mattress bursts into flame. At this point, the superheated air in the room of origin quickly reaches flashover, and any people in the residence are seriously threatened. Those who survive such fires normally have a severe inhalation injury. When they are also burned, they are normally transferred to burn treatment centers. There, they are frequently the most critically ill patients in a setting already dedicated to serious burn injury.

The age profile for cigarette fire mortality in NFPA data shows a moderate death rate among young children, a low rate for ages 10 to 17, and then a steadily rising rate, which peaks above age 85. Since the smoking rate among the elderly is half that of younger adults, those elderly who do smoke, especially males, and those with whom they live, are exceedingly vulnerable to smoking-fire death and injury. This vulnerability is even greater if the elderly smoker uses alcohol or sedating medications.

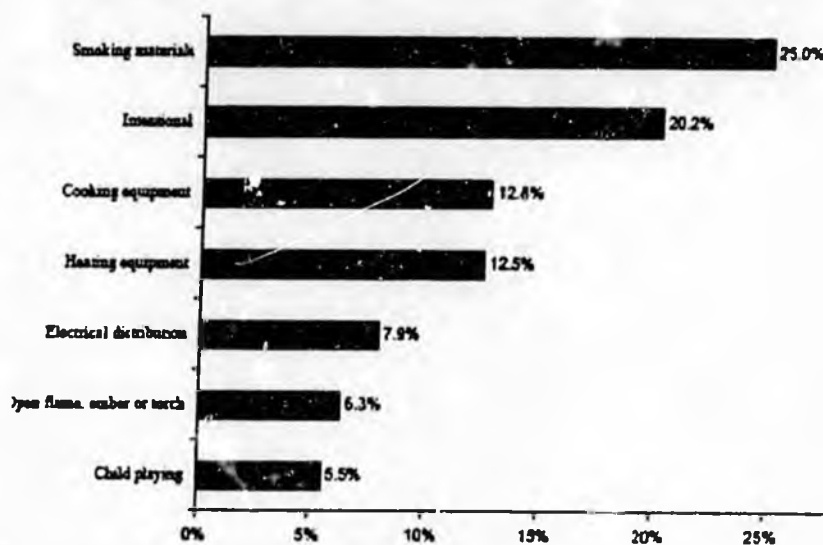
In fires in which a cigarette was known to have ignited upholstery, bedding or clothing, 29% victims making it to a burn center did not survive their initial hospital stay. This is five times the overall burn center fatality rate of about 6%. In addition, many of the elderly victims who survived their burn center stay were discharged to nursing care facilities from which they would never go home.

These survivors of cigarette fires remained in the hospital an average of 33 days on their initial admission. This is 60% longer than the burn center average of 20.5 days. Per diem costs were one-third higher than the burn center average. Cigarette fire admissions thus consumed twice as many resources as other burn center patients, with hospital charges alone averaging over \$125,000 per admission.

### What Is a Fire Safe Cigarette?

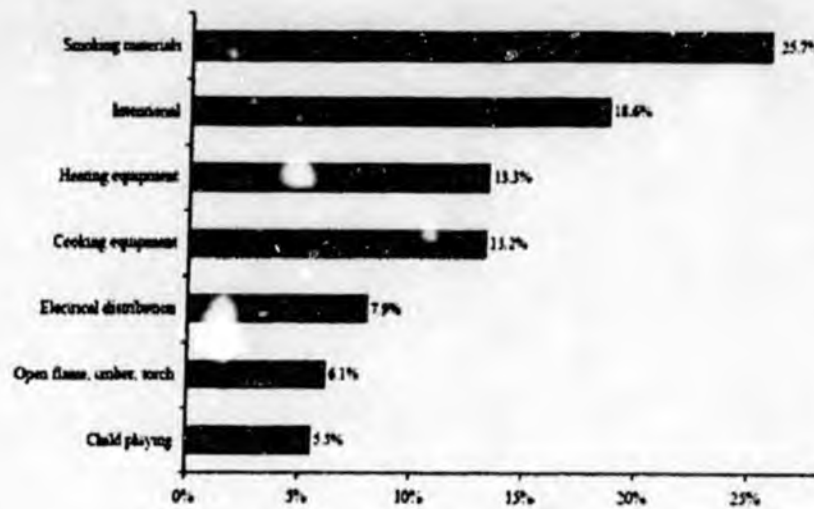
A fire safe cigarette, also known as a "reduced propensity cigarette," has less propensity to ignite upholstered furniture or mattresses when dropped, forgotten or carelessly discarded. This can be accomplished through small design changes including, the use of less dense tobacco, less porous paper, a smaller diameter, a filter tip, the addition of "speed bumps" on the filter paper, and the elimination of citrates that are added to the paper to maintain burning.

### Leading Causes of Structure Fire Deaths in 1999



Source: National estimates based on NFIRS/NFPA survey.

### Leading Causes of Home Fire Deaths in 1999



Source: National estimates based on NFIRS/NFPA survey.

### Other Legislation

In 2000, New York State passed the nation's first law requiring the establishment of a fire safety standard for cigarettes sold in the state that was due to take effect July 1, 2003. It was later changed to have the regulations set to go into effect by June 30, 2004. In 2005 both Vermont and California passed similar legislation, which requires cigarettes to meet the ASTM standard.

Following the lead of New York State, the Canadian Parliament passed legislation that will reduce the number of cigarette-caused fires in Canada. Bill C-260, an Act to amend the Hazardous Products Act (fire-safe cigarettes), will make it mandatory for all tobacco manufacturers to sell reduced ignition propensity (RIP) cigarettes by the end of this year.

## **Alaska HB 413 Will Save Lives in Alaska Fire Safe Cigarettes Result in a Safer State**

Too many Alaskans are hurt needlessly by fires that start because of the careless use of cigarettes. Every year, people are injured and homes are destroyed and damaged by cigarette ignited fires. That is largely because cigarettes are designed to continue to burn if left unattended. Cigarettes that are forgotten or dropped by smokers have the potential to start fires.

Following are a few facts about cigarette ignited fires:

- Cigarettes are the leading cause of fatal home fires in the United States, representing 25 percent of all fire deaths.
- Annually, approximately 1,000 people in the United States die from fires started by cigarettes and an additional 3,000 are injured.
- More than 100 victims who die every year are children or nonsmokers.
- Two out of five victims are 65 or older.
- Cigarette-ignited fires cause more than \$6 billion in property damage every year.
- In 1997 alone, there were more than 130,000 cigarette related fires in the U.S.

Now, Alaska has a chance to change those frightening statistics in a way that will better protect people and property in this state.

Alaska legislators recently introduced HB 413, addressing cigarette fire safety. That bill would save lives in Alaska and would likely lead to significant advances in public safety throughout the country.

**HB 413 would require that all cigarettes marketed and sold in the state of Alaska be fire safe with a reduced propensity to burn when left unattended.**

Cigarettes are designed to continue to burn when left unattended. The typical scenario for a cigarette ignited fire is the delayed ignition of a sofa, chair, mattress or rubbish from a lit cigarette that was forgotten or dropped by a smoker. Cigarettes vary in their potential to start fires, depending on cigarette design and content. The term "fire safe" is defined as a cigarette with reduced propensity for starting a fire when dropped or left unattended. The technology needed to produce fire safe cigarettes has been available for over a decade.

How does a fire safe cigarette work?

- A fire-safe cigarette has significantly less tendency to ignite furniture or mattresses when carelessly discarded. Small design changes including use of less dense tobacco, less porous paper, a smaller diameter, filter tip, and no added citrates to the paper are key components of a fire-safe cigarette.

Jurisdictions that have passed fire-safe cigarette legislation:

- Canada (2003)
- New York (2000)
- Vermont (2005)
- California (2005)

In addition, a recently released report out of New York noted that annual fire deaths blamed on cigarettes have fallen by one-third since that state's fire safe cigarette legislation went into effect.

## **Fire Safe Cigarette Fact Sheet**

- Smoking-related injuries started by matches or lighters were excluded for these statistics. Cigarette related fires are up 19% nationally.
- Cigarettes are the leading cause of fatal home fires in the United States, accounting for approximately 25% of our nation's fire deaths.
- Annually, between 900 and 1,000 people in the United States die from fires started by cigarettes and an additional 2,500 to 3,000 people are injured.
- It is not only the smoker who is injured or killed. Family members, other residents in multi-family dwellings, firefighters, emergency medical services personnel, and other non-smokers are also affected.
- In 1997 (the latest year for which data is available), there were more than 130,000 cigarette-related fires, which resulted in the deaths of 140 children.
- The annual cost of human life and property damage exceeds \$6 billion.
- At present, no federal regulation requires cigarettes to meet fire safety standards. New York is the first and only state to mandate that all cigarettes sold or offered for sale in the state must be fire safe. Similar legislation has been introduced in other states and in the US Congress.
- In fires in which a cigarette was known to have ignited upholstery, bedding or clothing, 29% victims making it to a burn center did not survive their initial hospital stay.
- The Fire Safe Cigarettes do not carry an increased cost to the consumer.
- The change in taste, if any, is undetectable to the smoker.
- 2 of 5 victims are 65 or older.
- Fire Safe Cigarettes are mandated in The States of California, New York and Vermont and the entire country of Canada.



# State of Alaska

Department of Public Safety  
Division of

## Fire Prevention

Frank H. Murkowski, Governor  
William Tandeske, Commissioner

February 1, 2006

The Honorable Reggie Jule  
House of Representatives  
State Capitol, Room 405  
Juneau, AK 99801-1182

The Division of Fire Prevention supports the legislation sponsored by you. "An Act relating to the burning capability of cigarettes being sold, offered for sale, or possessed for sale and providing for an effective date."

This bill embodies the focus of the Division's mission statement which is to prevent the loss of life and property from fire and explosion. This bill recognizes significant losses of life and property due to cigarettes; as the following statistics will show.

Between 1996 and 2004 Alaska lost \$5.6 million in property to fires with cigarettes as an ignition source.

Between 1996 and 2004 Cigarette related fires caused 25% (36 Alaskans) of the deaths due to fire. This is the leading cause of fire fatalities in Alaska.

It is our belief that this bill will significantly lower fire fatalities in Alaska related to cigarettes, as the manufacturers will have to meet the new requirements for a cigarette that meets a fire safety standard. This would be at minimal cost to the state.

The states that have enacted similar legislation are New York, Vermont and California. Those states are closely monitoring their fire statistics for the expected decline in fire fatalities. The legislation enactment is recent; therefore the information on fire fatalities is just now being collected for analysis.

If you have any questions or need more information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Gary L. Powell".

Gary L. Powell  
State Fire Marshal

**ALASKA DEPARTMENT OF PUBLIC SAFETY**  
**Division of Fire Prevention**

**1996 - 2004 Alaska Fires Caused by Cigarettes**

| Type of Fire                     | Count and Sum      | CIV. Inj. | CIV. Fatal | FF Inj.  | FF Fatal |
|----------------------------------|--------------------|-----------|------------|----------|----------|
| (Confined) Trash Fire            | 3<br>\$0           |           |            |          |          |
| Fire, Other                      | 17<br>\$87,455     | 1         |            |          |          |
| Motor Mobile Property (Vehicle)  | 49<br>\$30,628     | 1         | 1          |          |          |
| Outside Rubbish Fire             | 72<br>\$2,376      |           |            |          |          |
| Special Outside Fire             | 7<br>\$1,000       |           |            |          |          |
| Structure Fire                   | 315<br>\$5,248,280 | 28        | 35         | 6        |          |
| Structure Fire (Mobile Property) | 19<br>\$190,521    | 1         |            |          |          |
| Wildland Fire                    | 91<br>\$2,531      |           |            |          |          |
| <b>Total Count of Inc. ID</b>    | <b>573</b>         | <b>31</b> | <b>36</b>  | <b>6</b> | <b>0</b> |
| <b>Total Sum of Loss Total</b>   | <b>\$5,562,771</b> |           |            |          |          |

It's correct to say that between 1996 - 2004.....

3.33% of all reported firefighter injuries a cigarette was the cause of fire  
 25% of all civilian deaths, smoking and/or smoking materials was the cause of fire



**Facts About the Tobacco Industry's Arguments  
Against Laws Regulating the Ignition Strength of Cigarettes  
March 2005**

*Introduction*

In 2002, the most recent year with complete data, lighted tobacco products caused an estimated 37,000 structure fires in the United States, according to the National Fire Protection Association (NFPA). Some 760 individuals died in these fires, with roughly 200 victims estimated not to have been the smoker. And more than half a billion dollars (\$526 million) in direct property damage was caused by these fires. Lighted tobacco products remain the leading cause of fatal structure fires in the United States.

Efforts to reduce this deadly toll directly, by requiring cigarettes to meet fire resistance standards in the United States, received a boost on June 28, 2004, when the State of New York adopted the nation's first cigarette fire safety regulation. Canada has also enacted legislation that requires cigarettes to meet the same requirement as New York.

Major cigarette manufacturers have already altered the design of cigarette brands to meet the New York regulation, through "banding" of the cigarette paper for many brands (though New York's regulation is a performance standard and does not dictate how the standard should be met). Since these companies are currently selling lower ignition strength versions of their cigarette brands in New York, it seems that the way has been paved for other states to follow New York's lead.

The life-saving potential of this legislation is so strong and so apparent that even some major cigarette manufacturers have stopped opposing it. However, opponents in the cigarette industry continue to strongly oppose all legislation that would require lower ignition strength cigarettes in other states, and they offer arguments that can sound persuasive to anyone who does not know the facts. This paper will rebut the arguments being offered by the cigarette industry.

- **Cigarette Industry Argument:** There is no such thing as a cigarette that reduces the risk of fire.

**Fact:** New research by the Harvard School of Public Health (HSPH), funded by the American Legacy Foundation, indicates several benefits of implementing the New York regulation. *"Fire Safer" Cigarettes: The Effect of the New York State Cigarette Fire Safety Standard on Ignition Propensity, Smoke Toxicity and the Consumer Market* (<http://www.hsph.harvard.edu/press/releases/press01232005.html>) compared the physical properties of cigarettes sold in New York with cigarettes of the same brands sold in Massachusetts and California. The report found that New York cigarettes were far less likely to exhibit full length burns (only 10 percent) than those of the other states (99.8 percent). The HSPH researchers found no valid reason why cigarette manufacturers should not sell lower ignition strength cigarettes nationwide.

The Harvard study confirmed the 20-year-old conclusion of the Federal Technical Study Group on Cigarette and Little Cigar Fire Safety. This group, created by the Cigarette Fire Safety Act of 1984 (Public Law 98-567), concluded that it was technically feasible to develop cigarettes with a reduced propensity to ignite upholstered furniture and mattresses. As the Harvard study makes clear, the Federal study was correct, and the tobacco industry can make reduced ignition strength cigarettes if it chooses to do so or is required to do so.

- **Cigarette Industry Argument:** State laws are unnecessary. The U.S. Congress is about to pass a national law.

**Fact:** Those following Capitol Hill politics understand this argument is a complete myth. Passing legislation in the past few years has been nearly impossible. Bills requiring cigarettes to meet fire safety standards have been introduced in Congress since 1979, and there is still no national law in place. This is in large part because the cigarette industry fights national bills as vigorously as it fights state bills. But the industry always fights state laws by pointing to the existence of federal bills.

In fact, state legislation is necessary to put pressure on Congress to pass a national law. The cigarette industry needs to see that it is economically in its best interest to make lower ignition strength cigarettes for the entire nation rather than for just one or two states. The more states that pass these bills, the more likely it will be that the benefit of lower ignition strength cigarettes will be made available to all Americans.

- **Cigarette Industry Argument:** The push for lower ignition strength cigarettes is just another anti-smoking campaign.

**Fact:** This is about fire safety, and preventing deaths and injuries from cigarette-ignited fires. This is not about getting people to stop smoking or to smoke less. This is about making sure that the cigarettes that are smoked are less likely to cause fires.

- **Cigarette Industry Argument: We don't know if this will save a single life.**

**Fact:** Dr. John R. Hall, Jr., of the Fire Analysis & Research Division of the National Fire Protection Association, estimates that up to 1,000 lives could have been saved each year across the nation if lower ignition strength cigarettes had been required in every state in the mid-1980s when the Federal study was released. Today, best estimates are still that most fire deaths involving lighted tobacco products would be prevented by this legislation, which would mean many hundreds of lives saved every year. New York does not yet have data on how many lives its lower ignition strength cigarette law has saved or how many cigarette-ignited fires have been prevented, but data on some post-legislation incidents is beginning to trickle in. That still-anecdotal data indicate that cigarettes involved in smoking fire fatalities in New York since its regulation took effect are not the lower ignition strength cigarettes, but rather were purchased either out-of-state or over the Internet (which are not required to comply with New York's law) or were left from before the rule went into effect.

- **Cigarette Industry Argument: State cigarette tax revenue will evaporate.**

**Fact:** The HSPH researchers reviewed New York tax data for six months after the implementation of the new law. They found the lower ignition strength cigarettes appeared to have no effect on sales of cigarettes in New York. NASFM President and New York State Fire Administrator James A. Burns concurred with the analysis, saying the state has not lost revenue.

- **Cigarette Industry Argument: By requiring lower ignition strength cigarettes, we risk making cigarettes more toxic.**

**Fact:** The HSPH research found the majority of toxic compounds were no different between the smoke of the New York and Massachusetts brands that were tested. Five compounds were slightly higher, but no evidence exists that the small increases affect the already highly toxic nature of cigarette smoke.

In addition, The New York State Office of Fire Prevention and Control (OFPC), which developed the New York State lower ignition strength cigarette regulation, consulted with the New York State Department of Health to consider whether cigarettes manufactured in accordance with the regulation may reasonably result in increased health risks to consumers. The Department of Health advised that cigarettes complying with the fire safety standards set forth in the regulation were not expected to significantly change the inherently high risks associated with cigarette smoking. (This determination was based upon the existing information available on banded cigarettes, the only technology known to OFPC at that time that could feasibly meet the performance standard).

- **Cigarette Industry Argument:** We don't know how to make a fire-safe cigarette.

**Fact:** Chief John Mueller of the New York State OFPC, who coordinated promulgation of New York's rule, recently told NASFM's Science Advisory Committee that New York's goal was to make cigarettes less likely to ignite upholstered furniture or mattresses. New York's rule resulted in industry's developing a technically and commercially practical method of designing cigarettes. This has been done, at least in some cases, by using banded paper that interrupts the burning of cigarettes when they are not being actively smoked.

- **Cigarette Industry Argument:** There isn't enough of the special paper to implement the fire-safe cigarette laws in more than a few states.

**Fact:** The cigarette industry has already reworked its practices to produce the lower ignition strength cigarettes for New York. Since the industry is already doing this for New York, making the cigarettes for additional states should be much easier.

- **Cigarette Industry Argument:** The law discriminates against mom and pop retailers.

**Fact:** The New York requirement applies in all retail sales in the state, so there is no discrimination on the size of the retailer. The HSPH study found that cigarette sales in New York have not diminished since the new regulation has taken effect.

- **Cigarette Industry Argument:** Upholstered furniture and mattresses are the real problems.

**Fact:** Fire safety is about redundancy in safety measures, and cigarettes should not get a free pass. We need to try to prevent fires by addressing ignition sources and fuels, as well as human behavior, and we need to have smoke alarms and sprinklers in place in case our efforts at preventing fires fail.

Upholstered furniture and mattresses have had enhanced cigarette resistance for decades, thanks to an industry standard in the first case and an early regulation of the U.S. Consumer Product Safety Commission (CPSC) in the second. There is an active rulemaking within CPSC to make residential upholstered furniture more resistant to open flame and even more resistant to cigarette ignitions. There are also active rulemakings at the CPSC to address open-flame ignitions of mattresses and bedding. But these rulemakings will not be completed for another few years. Even after they are implemented, it may be decades before every American household has fire-resistant furniture and mattresses because these items aren't purchased on a regular basis. Cigarettes are purchased and used much more quickly than furniture. Lower ignition strength cigarettes can therefore have a positive effect on the fire problem much sooner.

- **Cigarette Industry Argument: Alcohol and drug abuse are the real problems.**

**Fact:** The mixing of drugs and alcohol with cigarette smoking increases the likelihood of a fatal fire. However, focusing only on behavioral issues and neglecting what can be done to make cigarettes less fire-prone is extremely dangerous.

Personal responsibility may be an argument for the smoker who kills himself in one of these fires. But what about the innocent people – children, spouses, parents, visitors – who are killed in fires started by someone else's careless behavior? According to NFPA, one in four victims is not the smoker whose cigarette ignited the fatal fire. They deserve to be protected, too.


We in the fire service are committed to educating the public about safe practices, but we cannot count on the war against drugs and alcohol to solve this problem. Changing human behavior is extremely difficult, but changing the cigarette to make it less likely to ignite a fire is something that cigarette manufacturers know how to do – and they are doing it in New York State. Shouldn't the citizens of every state be given the same opportunity to avoid being killed in a cigarette-ignited fire?

- **Cigarette Industry Argument: The lack of fire sprinklers is the real problem.**

**Fact:** Fire sprinklers in every American home would definitely improve overall fire safety, and is a good way to ensure redundancy of safety measures. However, fire sprinklers extinguish fires once they occur, which means that we have failed to prevent the fire. Smoke alarms are also necessary in homes to alert people when fires do occur, but they do nothing to prevent fires, either. Also, if the cigarette falls near the head of a sleeping smoker, the smoldering fire can produce enough carbon monoxide to kill him or her before there is enough heat from the burning chair/bed to activate the sprinkler.

- **Cigarette Industry Argument: An uneducated public is the real problem.**

**Fact:** Local fire departments and other community safety officials do a very good job of informing the public about fire safety. Despite these public safety campaigns, cigarette fire deaths are still far too common. Part of the problem is that even with education, someone who is impaired by alcohol or drug use is less likely to remember a fire safety lesson. And, as stated earlier, education does not save the innocent victims who are killed in cigarette-ignited fires just because they happened to be in the same residence at the time the fire occurred.

 Close

## Philip Morris USA

February 7, 2006

### Policies, Practices & Positions

#### Reduced Cigarette Ignition Propensity

Philip Morris USA supports the enactment of federal legislation that would create a uniform, national standard for reduced cigarette ignition propensity (RCIP). A national standard would apply to all cigarette brand styles sold in the country, thereby avoiding the potential distribution of non-compliant product between the states. It also would avoid inconsistent and potentially conflicting state regulations, thereby avoiding an undue burden on interstate commerce.

We have been working to support legislation at the federal level to institute a nationwide standard with the goal of reducing smoking-related fires started by carelessly handled cigarettes. We believe that any federal standard developed on this issue should allow for the creation of a reduced cigarette ignition propensity standard that does not increase the known health risks of smoking and is acceptable to adult consumers.

Despite efforts to address this issue at the federal level, a few states have considered legislation that would require tobacco manufacturers to comply with separate standards irrespective of any federal efforts. Local or state regulation of reduced cigarette ignition propensity standards could lead to a patchwork of differing, inconsistent and even contradictory requirements across the country. We believe federal legislation would be preferable to enacting potentially inconsistent state standards because:

- > *First*, the U.S. Consumer Products Safety Commission, which would likely be the agency mandated to implement a standard at the federal level, has been developing expertise on cigarette ignition propensity for many years. Thus, the Commission already has the resources and expertise to perform the necessary scientific work that needs to be done in order to successfully implement a reduced cigarette ignition propensity standard; and
- > *Second*, because state and local initiatives will inevitably lead to conflicting standards, they would likely impose substantial burdens on interstate commerce. Cigarettes are manufactured for nationwide distribution in a small number of factories; it simply is not practical to try to make a number of different versions of each brand to satisfy differing performance standards.

New York State is the only state to date that has enacted a law establishing its own reduced cigarette ignition propensity standard. This law was passed in August 2000, and the state has devoted substantial resources to develop and then administer the regulatory standard. PM USA submitted extensive technical comments to NY as it was developing the state's new standard which was implemented in June 2004. PM USA will continue to provide input to NY officials concerning a range of complex technical issues that should be addressed in implementing and evaluating the standards.

Philip Morris USA welcomes legislation that would set a national standard in this area and will continue to work to make reasonable and effective federal legislation a reality.

Visit These Sections  
For More Info:

PM USA's Legislative  
Action Guide: Tips on  
how to communicate with  
elected officials (pdf 128  
KB)

**ALASKA STATE  
FIREFIGHTERS ASSOCIATION**

**P.O. Box 22092 • Juneau, AK 99802**

February 3, 2006

The Alaska State Firefighters Association supports House Bill 413, introduced by Representative Reggie Joule, legislation relating to cigarette fire safety.

Cigarettes are the #1 cause of fatal fires in the U.S., taking 700 to 800 lives a year. Annually, property losses from fires caused by cigarettes run into the hundreds of millions of dollars. Statistical data of fire related death in Alaska parallels those of the U.S.

The State of New York introduced similar legislation in 2004. Although it is too early to draw conclusions, trends show a significant reduction in loss of life and property as a result of the reduced number of fires caused by cigarettes. With cigarettes related to 25% percent of the cause of fatal fires in Alaska, we believe safe cigarette legislation in Alaska would save Alaskan lives.

In addition to saving Alaskan lives and property, the safest fire for Alaska's emergency responders is the one that was prevented

Sincerely,



Carol R. Reed

President

Alaska State Firefighters Association

**ALASKA FIRE CHIEF'S ASSOCIATION**  
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DATE: February 9, 2006  
TO: State Affairs Committee  
FROM: Alaska Fire Chiefs Association  
SUBJECT: Support HB 413 (Joule) Fire Safe Cigarettes

Dear State Affairs Committee:

The Alaska Fire Chiefs Association, the largest membership of fire service managers in Alaska, is dedicated to serving the needs and issues that face Alaska's fire service. We would like to inform you that Alaska Chiefs strongly supports the Fire Safe Cigarette Act (HB 413) and encourage your YES vote when this legislation comes before you on this Committee and the House floor.

HB 413 will prohibit the sale, manufacture, or distribution of cigarettes in Alaska that do not meet fire safe standards established by the American Society of Testing and Materials (ASTM).

Careless smoking is the leading cause of fire deaths in Alaska. From 1995 to 2004, careless smoking, as the fire cause, resulted in 27.6% of all fire deaths in Alaska. This type of fire killed 45 people in Alaska during the past 10 years.

These costs are simply too great. Fortunately, an effective solution to this problem lies within your reach. California, New York and Vermont have already passed similar legislation to protect their residents. We hope that you will do your part to accomplish the same in Alaska.

On behalf of the 129 members of the Alaska Fire Chiefs Association, we thank you for considering our support, and we hope that you will vote YES on HB 413 – a life saving piece of legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren Cummings".

Warren Cummings  
President, Alaska Fire Chiefs Association

# FISCAL NOTE

**STATE OF ALASKA**  
**2006 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 413(STA)  
 (H) Publish Date: 2/13/06

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An Act relating to the burning capability of cigarettes  
being sold, offered for sale, or possessed for sale..." RDU: Fire Prevention  
 Component: Fire Prevention Operations  
 Sponsor: Representative Joule  
 Requester: House State Affairs Committee Component No.: 494

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

| OPERATING EXPENDITURES | FY 2007    | FY 2008    | FY 2009    | FY 2010    | FY 2011    | FY 2012    |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services      |            |            |            |            |            |            |
| Travel                 |            |            |            |            |            |            |
| Contractual            |            |            |            |            |            |            |
| Supplies               |            |            |            |            |            |            |
| Equipment              |            |            |            |            |            |            |
| Land & Structures      |            |            |            |            |            |            |
| Grants & Claims        |            |            |            |            |            |            |
| Miscellaneous          |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|

|                               |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES ( )</b> |  |  |  |  |  |  |
|-------------------------------|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|   |            |            |            |            |            |            |
|---|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts                   |            |            |            |            |            |            |
| 1003 GF Match                           |            |            |            |            |            |            |
| 1004 GF                                 |            |            |            |            |            |            |
| 1005 GF/Program Receipts                |            |            |            |            |            |            |
| 1037 GF/Mental Health                   |            |            |            |            |            |            |
| Other (Specify Type--Do not abbreviate) |            |            |            |            |            |            |
| <b>TOTAL</b>                            | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

**POSITIONS**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |

**ANALYSIS:** (Attach a separate page if necessary)

Deputy fire marshals of the Division of Fire Prevention will perform the compliance inspections concurrently with normally scheduled life safety inspections.

No fiscal impact to the Department of Public Safety is anticipated as a result of this legislation.

Prepared by: Director Gary Powell  
 Division: Fire Prevention  
 Approved by: Commissioner William Tandeske  
 Agency: Department of Public Safety

Phone: 907-59-5491  
 Date/Time: 2/7/06 9:42 AM  
 Date: 2/7/2006