

Honolulu, Hawaii
Feb 29, 2008
RE: H.B. No. 2436
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2436, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

begs leave to report as follows:

The purpose of this bill is to strengthen the regulation and enforcement of fireworks by:

- (1) Clarifying the definition of display fireworks;
- (2) Prohibiting minors from selling fireworks;
- (3) Making it unlawful, without a permit, to throw any ignited fireworks from or at a moving vehicle, or at any person or animal; and
- (4) Allowing consumer fireworks, aerial devices, display fireworks, or articles pyrotechnic within five hundred feet from any hotel with a permit.

The State Fire Council, Honolulu Fire Department, and an individual testified in support of this bill. An individual supported the intent of this measure. Legislative Information Services of Hawaii offered comments.

Your Committee has amended this bill by:



- (1) Making it unlawful to throw any ignited fireworks from above the first floor of a building, or into a moving vehicle, or explode any fireworks within one thousand feet of any zoo or animal shelter, on any public beach, or in any officially designated forest or wildlife preserve;
- (2) Clarifying that the prohibition against exploding fireworks within one thousand feet of certain medical facilities applies to convalescent homes, homes for the elderly, and animal hospitals that are licensed;
- (3) Deleting provisions that allow, with a permit, the use of various types of fireworks within five hundred feet of any hotel;
- (4) Requiring a \$25 fee for the purchase and use of any consumer fireworks for cultural and other uses; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Finally, because the amendment requiring a \$25 fee for using consumer fireworks for cultural and other purposes has fiscal implications, your Committee respectfully requests that the financial aspects of this bill be thoroughly reviewed by the appropriate committees as this bill proceeds through the legislative process.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2436, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2436, H.D. 2.

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



TOMMY WATERS, Chair



