

STAND. COM. REP. NO. 2874

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 2554  
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  
S.B. No. 2554, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the definition of "display fireworks" to include fireworks designated as UN0334 by the United States Department of Transportation;
- (2) Prohibit throwing ignited fireworks at a person or animals; and
- (3) Prohibit minors from selling fireworks.

Testimony in support of this measure was submitted by the State Fire Council and the Legislative Information Services of Hawaii.

Under present law, section 132D-3(1), Hawaii Revised Statutes (HRS), consumer fireworks may be purchased and used, with a permit, at specified times on three specific days during the year, namely, New Year's Eve, Chinese New Year's Day, and the Fourth of July. However, individuals may purchase fireworks at other times of the year for certain cultural purposes, such as lion dance ceremonies. While a permit and payment of a fee presently is required for these purposes as well, there has been some confusion in this regard.



This measure clarifies that when fireworks are purchased and used for these purposes, a permit and payment of a fee is required.

Your Committee notes that there are cultural uses of consumer fireworks at times other than the three designated holiday periods described in section 132D-3, HRS. Your Committee realizes the need to address the other 362 days of the year and have the permit and fee requirement also apply to those days.

Your Committee has amended this measure by:

- (1) Requiring a permit and \$25 fee for the purchase and use of consumer fireworks for cultural uses that occur at any time other than during the periods prescribed in section 132D-3(1), HRS;
- (2) Clarifying and making technical amendments suggested by the State Fire Council and Legislative Information Services of Hawaii; and
- (2) Making technical, nonsubstantive amendments.

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 S.B. No. 2554, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2554, S.D. 2.

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

  
BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 2554 SD1</b>	Committee Referral: <b>PBS, JDL</b>	Date: <b>2-22-08</b>
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The committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	✓			
HEE, Clayton (VC)				✓
GABBARD, Mike	✓			
KOKUBUN, Russell S.				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>2</b>

Recommendation:      Adopted      Not Adopted

Chair's or Designee's Signature:  


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\*Only one measure per Record of Votes