

SB 1254

Measure Title:

RELATING TO FIREWORKS

Report Title:

Fireworks

Description:

Establishes programs to encourage and reward the reporting of illegal fireworks activities.



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
State Fire Council
830 Punchbowl Street
Honolulu, Hawaii 96813

February 11, 2009

The Honorable Will Espero, Chair
Committee on Public Safety and Military Affairs
The State Senate
State Capitol, Room 207
Honolulu, Hawaii 96813

The Honorable J. Kalani English, Chair
Committee on Transportation, International and
Intergovernmental Affairs
The State Senate
State Capitol, Room 205
Honolulu, Hawaii 96813

Dear Chairs Espero and English:

Subject: S.B. 1254 Relating to Fireworks

I am Kenneth G. Silva, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD oppose S.B. 1254, which proposes that the SFC establish procedures and a reward structure for an illegal fireworks activity program to allow residents to anonymously report illegal fireworks activity and receive a monetary reward for legitimate reports.

The SFC, comprised of the four county Fire Chiefs, was created in 1979 to replace the State Fire Marshal's Office (SFMO), which was a fully-funded state agency. Hawaii is the only state without an SFMO. Under the present organization, the SFC primarily uses county fire department personnel to accomplish council duties, thus depriving county fire departments of the time and services of its members. These duties include amending and adopting the state fire code, pursuing and administering federal grants, and implementing and administering a statewide reduced ignition propensity cigarette program.

The Honorable Will Espero, Chair
The Honorable J. Kalani English, Chair
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The SFC is unable to provide the various services delineated in this proposal. The SFC staff consists of only one part-time position funded by the Department of Labor and Industrial Relations, to which the SFC is administratively attached. This part-time employee can barely complete statewide training grant application and administration in addition to coordinating SFC meetings and daily office operations. The SFC is also a member of the State Building Code Council and participates in the state building code adoption process, coordinates statewide data collection, and corresponds with national and state organizations on fire issues.

Presently, fireworks permit fees are deposited into the counties' general fund, and we do not believe the counties will be willing to relinquish those funds.

The SFC and the HFD request that S.B. 1254 be held in committee.

Should you have any questions, please call HFD Legislative Liaison Lloyd Rogers at 723-7171.

Sincerely,



KENNETH G. SILVA
Chair

KGS/LR:bh

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Improving Life

One Breath at a Time

Founded in 1904, the
American Lung Association
includes affiliated associations
throughout the U.S.



TO: Senate Committee on Public Safety and Military Affairs

FOR: Hearing Scheduled for 1:00 pm, Thursday, February 12, 2009

**RE: TESTIMONY IN SUPPORT OF THE INTENT OF SB 1254
RELATING TO FIREWORKS**

Chair Espero, Vice Chair Bunda and Committee Members:

The American Lung Association in Hawaii is pleased that this measure that seeks to reduce illegal fireworks by rewarding those who report this illegal activity. However with over 154,000 people in Hawaii, or nearly 13 percent of our population suffering from some type of lung disease, that is made worse by exposure to the particulate smoke from both legal and illegal fireworks, **we believe a ban on all fireworks (with exceptions for religious and cultural purposes) would do far more to protect our collective health.** Banning all types of fireworks would make enforcement much less difficult because there would be no confusion over what forms are legal or illegal – all would be illegal and easily spotted. Assuring the cleanest air for everyone in Hawaii is important, especially with the recent increase in volcanic activity which compounds the to the danger of fireworks.

Hawaii has the second highest rate in the nation for childhood asthma and many adults, especially the elderly, suffer from chronic lung disease including emphysema and COPD (Chronic Obstructive Pulmonary Disease). Even people who do not have lung problems often report eye, throat and lung irritation on New Year's Eve.

With so many people experiencing breathing problems directly related to fireworks, the American Lung Association in Hawaii strongly supports any measure that will help clear the air. Every year the American Lung Association publishes the State of the Air report for the nation and each state. Hawaii, with its generally clean air, receives high marks with the exception of a "D" for short-term air pollution as a result of one night – New Year's Eve.

It is time to act responsibly and stop this willful disregard for the health of our fellow citizens, especially those who might be unable to speak for themselves – our children and the elderly. Specific action to ban fireworks is what is called for.

Respectfully, submitted,

Jean Evans, MPH, Executive Director
American Lung Association in Hawaii



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February 12, 2009

Testimony to: Senate Committee on Public Safety & Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

Senate Committee on Transportation, International & Intergovernmental Affairs
Senator J. Kalani English, Chair
Senator Mike Gabbard, Vice Chair

By: Richard C. Botti
Lauren Zirbel
LISH Represents both retailers and wholesalers of fireworks in Hawaii

Re: SB 1254 RELATING TO FIREWORKS

Chairs & Committee Members:

We support the intent of SB 1254.

This is an innovative means of address a situation where the Police Department states that they can't enforce the ban on illegal aerial fireworks.

We look forward to using this measure as a "work in progress" bill that will address the real issue.

Written Statement of
Yvonne Isobe

Before the
Senate Committees on Public Safety and Military Affairs
And
Transportation, International and Intergovernmental Affairs
Thursday, February 12, 2009
1:00 PM
State Capitol, Conference Room 229

In consideration of
SB 1254 RELATING TO FIREWORKS

Chairs Espero and English, Vice Chairs Bunda and Gabbard and members of the committees.

I am in full support of SB 1254.

I believe that having a monetary reward funded from permit fees collected under section 132D-10 for reporting of illegal fireworks activities is a good incentive. This could in essence possibly motivate some of those who used to purchase illegal fireworks to report persons who sold them the illegal fireworks? The law would add needed assistance to the county police departments to crack down on those that sell illegal aerial devices.

Thank you very much for hearing my opinion on this matter.

-----Original Message-----

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

Sent: Wednesday, February 11, 2009 7:36 PM

To: PSM Testimony

Cc: jeannine@hawaii.rr.com

Subject: Testimony for SB1254 on 2/12/2009 1:00:00 PM

Testimony for PSM-TIA 2/12/2009 1:00:00 PM SB1254

Conference room: 229

Testifier position: support

Testifier will be present: No

Submitted by: Jeannine Johnson

Organization: Individual

Address: 5648 Pia Street Honolulu, HI

Phone: 373-2874

E-mail: jeannine@hawaii.rr.com

Submitted on: 2/11/2009

Comments:

This is a step in the right direction - the total ban of fireworks in Honolulu.