



Hawaii Rifle Association

State Affiliate of the National Rifle Association
Founded in 1857

February 2, 2010

Testimony on HB 2909, Relating to Explosives (Homemade Explosives)

IN OPPOSITION

Before the Committee on Public Safety

Senator Faye Hanohano, Chair

Senator Henry Aquino, Vice Chair

DATE: Thursday, February 4, 2010

TIME: 8:30 am

PLACE: Conference Room 309

PBStestimony@Capitol.hawaii.gov

Honorable Chair, Vice Chair, and Members,

I would like to provide testimony in OPPOSITION of this bill.

The definition of a "homemade explosive" is extremely broad, vague, and will surely have unintended inclusionary consequences.

The current definition would make firearms activities such as muzzle loading and ammunition reloading illegal. Both practices are part of legitimate firearms activities, and have a long history of safety.

Please OPPOSE the passage of this bill as currently presented.

Sincerely,

Mr. Mark Plischke
Legislative Chair
Hawaii Rifle Association
478-9393



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February 4, 2010 @ 8:30 a.m. in CR 309

To: Committee on Public Safety
Rep. Faye P. Hanohano, Chair
Rep. Henry J.C. Aquino, Vice Chair

By: Richard C. Botti, President
Lauren Zirbel, Government Relations

Re: HB 2909 RELATING TO EXPLOSIVES

Chairs and Committee Members:

We support the passage of HB 2909 for the following reasons:

- We believe that the making, assembling, selling, possessing and using "homemade explosive devices" probably violates existing federal and state laws. Enactment of HB 2909 will make sure that Hawaii's explosives statute prohibits them.
- Our client imports, stores and sells at wholesale only State of Hawaii legal consumer fireworks. Our client does not import, store or sell at wholesale aerial fireworks, display fireworks or articles pyrotechnic. Our client does everything that it can to ensure its 100% compliance with all applicable federal and state laws and regulations and all applicable local requirements. Our client believes that if people want to celebrate, they purchase legal consumer fireworks and use them safely and responsibly.
- Assembling, selling, possessing and using "homemade explosive devices" is extremely dangerous. We support every effort needed to ensure that no "homemade explosive device" ever is used, no one is ever hurt because of the use of a "homemade explosive device" and no property damage occurs because of the use of a "homemade explosive device".

aquino1-Ruffalyne

From: Meryle Hirotsu [mhiro2006@yahoo.com]
Sent: Wednesday, February 03, 2010 7:46 AM
To: PBStestimony
Subject: Ban of Fireworks

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing in favor of stricter laws pertaining to fireworks. The police and fire departments have recommended the ban of fireworks. It is dangerous to the safety of children, the elderly, pets, military veterans, and the public. I feel that fireworks should be completely banned and allowed only at public parks where it can be controlled.

In 2008 I had to place 2 of my dogs in a Northshore Boarding facility to house them away from fireworks. My neighbors on Aamanu Street in Pearl City would dump fireworks in a trash bin, magnifying the noise so much that my walls and windows in my house would vibrate. One of my dogs hid under the bed and never came out for 3 days.

In 2009 I moved to Wahiawa from Pearl City to get away from fireworks. However, I still found that some of my neighbors made homemade bombs that go off even now at all hours of the day on Nichols Street.

Fireworks are banned in Portland, Oregon; Duarte, CA and other parts of the nation. Fireworks should be banned in HI for public safety.

Meryle Hirotsu
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ph. 456-1915

aquino1-Ruffalyne

From: Chris Blanchard [blanchardce@earthlink.net]
Sent: Wednesday, February 03, 2010 9:06 AM
To: PBStestimony
Cc: Rich Witek; Lisa Valle Lange; takai2-Desiree; John Hansen
Subject: TESTIMONY FOR HB 2909, Dangerous Weapons; 2271, Explosives; 2068 Fireworks; 2114, Fireworks

Follow Up Flag: Follow up
Flag Status: Flagged

The following testimony is submitted in support HB 2909, Dangerous Weapons; 2271, Explosives; 2068 Fireworks; 2114, Fireworks, hearing on Relating to Consumer Fireworks, hearing on February 4, 2010 at 8:30 a.m. .

On January 31, 2010, a neighbor reinforced the need for the State of Hawaii to act to restrict the use of fireworks by setting off a series of explosions on what was otherwise a quiet Sunday evening in Kailua.

If you reside anywhere near my Ohana Street home, you would agree that from Thanksgiving and into the first week of each New Year, the noise, negative impact on the environment, and potential emotional and physical hazards of both legally and illegally obtained and used fireworks far exceed an acceptable level. As a veteran of 26 years of active duty military service including three combat deployments, I can assure you that the noise generated by homemade and modified fireworks used in our Kalama Tract neighborhood routinely exceeds that produced by many of the weapons systems employed by the military; the same can be said for the attendant smoke.

This past year a New Year's Eve, I experienced the window shaking noise well past midnight. Such noise began in early December and extended until even the night of January 6, 2010. That explosions not only stirred me from my sleep but were heard and felt by friends on the far end of Kuulei Tract and in Akahi Park.

I have neighbors who leave their Kalama Tract home each New Year's Eve, the night the month of noise reaches its crescendo. Others give their pets sedatives. My wife and I took the precaution of asking friends who reside on the Marine Corps Base to care for our pets, rather than expose them to the noise which makes them cower and seek refuge in dark closets or under beds. A friend in Hauula vowed to never again subject her daughter to the noise and smoke and will stay in a hotel on New Year's Eve in the future. To be driven from our homes is simply unacceptable.

I provided the Director of the Legislative Research Bureau information regarding one particularly simple explosive device popular in our neighborhood: the dry ice bomb. The dry ice bomb is an extremely simple homemade device and comes in a variety of sizes. All that is required is a container, a plastic water bottle or empty five gallon paint drum both work fine. Fill the container with water, add the dry ice, seal the container and wait for the gas to expand inside the container. Depending upon a variety of factors, temperature outside, the size of the container are tow, the container will explode, sometimes merely blowing the top of the container or in other cases burst the container and generating shrapnel. There is no attendant flash with the dry ice bombs.

Modifications to legally obtained fireworks enable the generation of the same explosive force and noise as dry ice bombs, but with increased smoke and risk of fire. The Senate legislation to ban fireworks will help eliminate this dangerous practice but will not stop the Thanksgiving to New Year's explosions hear throughout Hawaii. I encourage the House to work with members of the Senate to pass legislation that includes prohibition on the use of dry ice and other homemade bombs.

In closing I must state that the seeming absence of state agencies in addressing this matter startles me. Within the Department of Health alone, the Office of Environmental Quality Control and the Indoor and Radiological Health Branch, each have responsibilities which pertain to the effects of fireworks and other explosive devices that degrade our environment and impact the health of Hawaii's citizens. Perhaps it is time the agencies responsible for protecting the environment and the health of the people of Hawaii get involved in this discussion.

It is not enough to pass legislation outlawing fireworks or the detonation of them outside the allowed hours. The State must make a more concerted effort to pressure the City and County to enforce the laws already on the books.

Very respectfully,

Christopher E. Blanchard
156 Ohana Street
Kailua, Hawaii

94-183 Kupuna Loop
Waipahu, Hawaii 96797

3 February 2010

SUBJECT: Testimony related to HB 2909, RELATING TO DANGEROUS WEAPONS

Reference: "The purpose of this act is to prohibit any person from setting off, igniting, discharging, or otherwise causing to explode any homemade explosive device."

Hearing Date: Thursday, February 4, 2010

TIME: 8:30 a.m.

PLACE: Conference Room 309

State Capitol, 415 South Beretania Street,
Honolulu, Hawaii

Dear Committee Members,

As a retired Army Bomb Disposal Officer, I fully support enactment of this legislation and imposition of harsh penalties for violations.

As a long time resident of Village Park, Waipahu, I can state that outside of combat, I have never experienced the level of misuse of explosives I experienced in Waipahu between Thanksgiving and New Years Eve 2009. Improvised explosive devices exploded in multiple areas, at all times of day and night, rocking my house and terrorizing my dog.

My neighbors are clearly not responsible enough to handle dangerous explosives and should be discouraged from doing so. Allowed to continue, I predict this trend will result in deaths and serious injuries throughout Hawaii. Components of these bombs are highly volatile, and susceptible to heat, shock and friction. Stockpiling bomb making materials and completed devices endangers family members, neighbors and especially the Police and Fire Department personnel who might respond to an accidental fire.

There is no room in Hawaii for the misuse of explosives on the scale we are now seeing. Please take action to put a stop to a few people terrorizing the rest of the community.

Respectfully submitted,

Allan R. Vosburgh
Waipahu, Hawaii