



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

NEIL ABERCROMBIE  
GOVERNOR

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DIRECTOR

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**LATE TESTIMONY**

STATEMENT OF  
**RICHARD C. LIM**  
DIRECTOR  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM  
BEFORE THE  
**HOUSE COMMITTEE ON JUDICIARY**

Thursday, March 24, 2011  
2:00 p.m.  
State Capitol, Conference Room 325  
in consideration of  
**SB172, SD2 HD1**  
**RELATING TO FIREWORKS**

Chair Keith-Agaran and Vice-Chair Rhoads and Members of the Committee.

The Department of Business, Economic Development, and Tourism (DBEDT) supports the intent of SB172, SD2 HD1 that would help to control the use of fireworks in public areas. With regard to safety of the public we defer to the City and County Fire Department. We would like to offer these comments.

In 2010, an estimated \$416 million in production expenditures were generated in film and television in Hawaii providing over \$683 million in estimated economic impact for our state. The film industry often utilizes pyrotechnics as part of special effects and stunts. In 2010, Walt Disney Company produced Pirates of the Caribbean in Hawaii - pyrotechnics was an essential part of the making of this film. The ongoing TV Series Hawaii 5-O often uses pyrotechnics -- creating an exciting array of action packed story telling. These and other productions do these operations precisely and carefully to ensure the safety of public, crew and cast.

Hawaii's film industry may be affected by any rule changes in the use of pyrotechnics. We appreciate that our requested exemption for filming activity in Section 3b (page 4, lines 7-11) has been incorporated into SB172 SD2 HD1 (page 4, lines 11-18). However, DBEDT would like to request that the committee consider making the following amendments to SB172 SD2 HD1:

1. In Section 2, further amend Section 132D-2 to add a definition for “movie or television production” which would be defined as a “series of activities that are directly related to the creation of visual and cinematic imagery to be delivered via film, videotape, or digital media and to be sold, distributed, or displayed as entertainment or the advertisement of products for mass public consumption, including but not limited to scripting, casting, set design and construction, transportation, videography, photography, sound recording, interactive game design, and post production.”
2. In Section 3b (page 4, lines 15 to 18) change the language to the following:  
“within the State solely as part of a movie or television production.”

DBEDT has concerns that the current language in SB172 SD2 HD1 would limit the ability of those productions that film on federal or private property from being able to use this exemption as DBEDT is only authorized to issue permits for State and County property (201-14, HRS). If necessary, DBEDT can work with the counties to create criteria for movie and television productions to meet. DBEDT has previously worked with the DOH to create Administrative Rules for 328-7 (6), HRS, which provides for an exemption for smoking indoors during the filming of a scene.

Thank you for the opportunity to testify on this measure.