

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 2113  
H.D. 1  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor, to which was referred H.B. No. 2113, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIRE PROTECTION,"

beg leave to report as follows:

The purpose and intent of this measure is to make it unlawful to sell, offer for sale, distribute, possess, ignite, or otherwise use aerial luminaries, commonly known as sky lanterns, Hawaii lanterns, and flying luminaries.

Your Committees received testimony in support of this measure from the State Fire Council, Department of Land and Natural Resources, Honolulu Police Department, Hawaii County Fire Department, Maui County Department of Fire and Public Safety, Kauai Fire Department, Hawaiian Electric Company, Hawaii Electric Light Company, Maui Electric Company, Hawaii Fire Chiefs Association, and one individual.

Your Committees find that aerial luminaries pose a potential hazard to the community. These devices are paper lanterns containing a small candle or other fuel that heats air inside the lantern causing the lantern to rise several hundred feet and remain airborne until the candle extinguishes, at which time the lantern descends. The uncontrolled open flame device can land on combustible vegetation, buildings, or power lines, and interfere with aircraft flight patterns. Death or serious injury to



livestock has been reported in many countries when the sky lantern remains are consumed.

Your Committees have amended this measure by:

- (1) Placing the new section into chapter 132D, Hawaii Revised Statutes, relating to fireworks;
- (2) Changing the effective date to upon approval; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2113, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2113, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Public Safety, Government Operations, and Military Affairs and Judiciary and Labor,



CLAYTON HEE, Chair




WILL ESPERO, Chair





The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2113, HD1	PGM/JDL, WAM	3/21/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)				✓
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes