

STAND. COM. REP. NO.

884

Honolulu, Hawaii

MAR 05

, 2021

RE: H.B. NO. 1246
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1246, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

begs leave to report as follows:

The purpose of this measure is to specify that certain violations of the Fireworks Control Law be considered:

- (1) An activity that causes air pollution under the Hawaii Air Pollution Control Act, punishable by civil penalties and subject to citations under the Hawaii Air Pollution Control Act; and
- (2) A violation of noise control rules under the Hawaii noise pollution laws, and punishable by civil penalties and subject to citations under the Hawaii noise pollution laws.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society and three individuals. Your Committee received comments on this measure from the Department of Health and State Fire Council.

Your Committee finds that the Fireworks Control Law and its associated penalties have proven to be an inadequate deterrent for

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the illegal use of fireworks in the State. This measure is intended to strengthen enforcement through alternative enforcement mechanisms and imposition of additional penalties to protect public health and safety.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1246, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1246, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 1246, HD 1	Committee Referral: CPC, JHA	Date: 3-2-21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.			✓	
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.				✓
7. McKELVEY, Angus L.K.		✓		
8. NAKAMURA, Nadine K.		✓		
9. TAKUMI, Roy M.	✓			
10. TODD, Chris				✓
11. TOKIOKA, James Kunane			✓	
12. WARD, Gene		✓		
TOTAL (12)	5	3	2	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size:small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				