STAND. COM. REP. NO. 24

Honolulu, Hawaii FEB 15 , 2022

RE: H.B. No. 2273 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2273 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 a violation of noise control rules, which may subject the violator to a citation under the State's noise pollution law; and
- (2) Appropriate funds to the Department of Health to assist in the enforcement of these violations.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board No. 21, Hawaiian Humane Society, Poi Dogs & Popoki, Kihei Community Association, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that despite permitting requirements and strict time limitations, the illegal use of fireworks continues



STAND. COM. REP. NO. 246-22 Page 2

seemingly unabated throughout the State. Your Committee further finds that the illegal use of fireworks creates excessive noise, which can damage hearing, trigger mental health episodes in individuals with post-traumatic stress disorder, and disrupt children and the elderly. Your Committee also finds that subjecting certain violations of the Fireworks Control Law to the citations and civil penalties under the State's noise pollution laws, which subject violators to much higher penalties, may help with compliance statewide.

Your Committee notes that the enforcement mechanism proposed by this measure is meant to address the most repeated and egregious offenders of the Fireworks Control Law; it is intended to focus on those offenders who the Department of Health would best be able to monitor. To promote compliance with the Fireworks Control Law, your Committee finds that alternative enforcement mechanisms or penalties need to be explored. This measure represents just one approach that could be considered. Your Committee's expectation is that all counties would be included in the enforcement efforts contemplated by this measure.

Your Committee has amended this measure by:

- Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2273, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2273, H.D. 1, and be referred to your Committee on Finance.



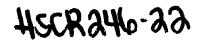
STAND. COM. REP. NO. 22 Page 3

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

AARON LING JOHANSON, Chair



State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 2273	Committee Referral: CPC, FIN		Date: 2/4/22		
 The committee is reconsidering its previous decision on the measure. 					
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 					
CPC Members		Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)		\checkmark			
2. KITAGAWA, Lisa (VC)		V			
		<u></u>	<u>,</u>		
3. AQUINO, Henry J.C.		\checkmark			
4. HAR, Sharon E.			<u>animita na ang ang ang ang ang ang ang ang ang</u>	<u>de tel constant de la cons</u>	<u>, 1997 - 1997 - 1997 - 1997 - 1997 - 1997</u> 1997 -
5. HASHEM, Mark J.		V			
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6. KONG, Sam Satoru		V			
5 MIZUNO Laba M	<u>jang universitati</u>				
7. MIZUNO, John M.					
8. MORIKAWA, Dee		in an	amining and the second seco	<u></u>	
9. ONISHI, Richard H.K.	and the second	$\overline{\mathbf{V}}$	<u>z</u>	in Territ Sunda skin Shua sida - Turvanay	
			in a statistica.		
10. TARNAS, David A.		\checkmark			
11. MATSUMOTO, Lauren		V			
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	dopted	□ Not Adopte	ed	<u> </u>	
If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					