

Honolulu, Hawaii

APR 22 2010

, 2010

RE: S.B. No. 1059
S.D. 2
H.D. 3
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1059, S.D. 2, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to address the problem of illegal fireworks by:

- (1) Establishing an Illegal Fireworks Task Force to develop a plan to stop the importation of illegal fireworks and a strategy to ensure the safety and security of facilities and institutions in Hawaii, and to report to the 2011 Legislature accordingly;
- (2) Clarifying that nothing in chapter 132D, Hawaii Revised Statutes, shall be construed as superseding or affecting a county fireworks ordinance; and



- (3) Providing that county ordinances regulating fireworks may be stricter than state laws regulating fireworks.

This measure organizes various agencies to work collaboratively on solutions to better enforce the growing distribution and use of illegal fireworks in our communities. Each year, the use of illegal fireworks, namely aeriels by unlicensed, nonprofessional persons, continues to increase. These illegal fireworks pose a fire and life safety risk and danger to the public. Enhanced enforcement strategies among state, county, and federal agencies are essential to address the problem.

Your Committee on Conference believes that counties should have sufficient latitude to enact their own ordinances that are at least as stringent as state law, including banning fireworks entirely. This measure clarifies existing law to that effect.

Your Committee on Conference has amended this measure by:

- (1) Designating the Chair of the Senate Committee on Public Safety and Military Affairs and the Chair of the House Committee on Public Safety to be Co-Chairs of the Illegal Fireworks Task Force; and
- (2) Changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1059, S.D. 2, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1059, S.D. 2, H.D. 3, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



FAYE HANCHANO, Co-Chair




WILL ESPERO, Chair

- excused -

JOSEPH M. SOUKI, Co-Chair



BRIAN T. TANIGUCHI, Co-Chair



JON RIKI KARAMATSU, Co-Chair



