

# SB749

**Measure Title:** RELATING TO TOY GUNS.

**Report Title:** Sale of Toy Guns; Minors; Prohibition; Penalty

**Description:** Prohibits the sale of toy guns to minors.

**Companion:**

**Package:** None

**Current Referral:** CPN, JDL



Senator Rosalyn Baker, Chair  
Senator Brian Taniguchi, Vice Chair  
Committee on Commerce and Consumer Protection

HEARING      Tuesday, February 15, 2011  
                  9:00 am  
                  Conference Room 229  
                  State Capitol, Honolulu, Hawaii 96813

RE:      **SB749, Relating to Toy Guns**

Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii.

**RMH would like to offer comments on SB749, which prohibits the sale of toy guns to minors, and propose an amendment.**

In light of the recent episode at one of our schools, we recognize that adolescents do not always make reasonable or rational choices, and it is a challenge for parents continually to monitor their children's activities.

Federal Law (*Title 15, CHAPTER XI, PART 1150, Marking of Toy, Look-alike and Imitation Firearms*) imposes strict regulations on manufacturers to avoid one's mistaking toys for real firearms. Yet, we do acknowledge that there are circumstances that could lead to confusion and serious consequences.

Many of us, when hearing the phrase "toy guns," visualize the myriad of brightly colored squirt pistols, Nerf rifles, and cowboy six-guns in the marketplace that obviously are toys. We do not believe it is the intent of this measure to restrict these items. Therefore, we respectfully request amending SB749 to **narrow the focus to apply only to replica-type firearms that mimic actual weapons in size, colorations, authentic details and accurate markings.** We believe this definition will achieve the purpose of this bill.

Thank you for your consideration and for the opportunity to comment on this measure.

A handwritten signature in cursive script, appearing to read 'Carol Pregill'.

Carol Pregill, President

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Testimony for CPN 2/15/2011 9:00:00 AM SB749

Conference room: 229

Testifier position: oppose

Testifier will be present: No

Submitted by: Lee McIntosh

Organization: Individual

Address:

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Submitted on: 2/10/2011

Comments:

Madam Chair and Members of the Commerce and Consumer Protection Committee:

Aloha, my name is Lee McIntosh. I live in Kau on the Big Island. I am not in favor of SB 749, which prohibits the sale of toy guns to minors. This bill will accomplish absolutely nothing, because adults can purchase the toys and then give them to children. Children should be encouraged to become responsible consumers at an early age, learning how to spend their money wisely without having to use their parents as a middleman. The definition of a toy gun is vague and needs to be defined. The penalties are excessive at a time when the state's prison system is crowded and finances are tight. I can see absolutely no benefit of such a bill whatsoever, except to force someone's opinion on everyone else. Thank you for allowing me the opportunity to testify on SB 749.