

89

Honolulu, Hawaii

APR 26 , 2019

RE: H.B. No. 89
H.D. 2
S.D. 2
C.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 89, H.D. 2, S.D. 2, 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 proper disposal and storage of confiscated fireworks and authorize the courts to impose additional fines for confiscated fireworks.

Your Committee on Conference has amended this measure by providing safeguards for the public from illegal fireworks by:

- (1) Establishing criminal liability for a person who is responsible for real property and intentionally, knowingly, or recklessly allows others, while on the real



property, to possess, set off, ignite, or otherwise cause to explode any illegal aerial device;

- (2) Establishing criminal penalties, including a fine of at least \$500 and no more than \$2,000, for liable real property owners;
- (3) Clarifying that probable cause for arrest for fireworks offenses may be based on statements from witnesses and photographs, video, and other recordings, including any photograph or video made using an unmanned aerial vehicle;
- (4) Changing the effective date to upon its approval; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 89, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 89, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



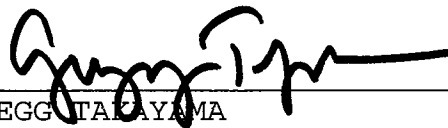
CLARENCE K. NISHIHARA
Chair



KARL RHOADS
Co-Chair



MICHELLE N. KIDANI
Co-Chair



GREGG T. YAMADA
Co-Chair



CHRIS LEE
Co-Chair



CEDRIC ASUEGA GATES
Co-Chair



Hawaii State Legislature

CCR 89

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: HB 89, HD 2, SD 2	Date/Time: 4/25/19 2:15 PM
---	--------------------------------------

The recommendation of the House and Senate managers is to pass with amendments (CD).



The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
---	---

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
NISHIHARA, Clarence K., Chr.	✓				TAKAYAMA, Gregg, Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				LEE, Chris, Co-Chr.	✓			
KIDANI, Michelle N., Co-Chr.	✓				GATES, Cedric Asuega, Co-Chr.	✓			
HARIMOTO, Breene				✓	KONG, Sam Satoru	✓			
FEVELLA, Kurt			✓		MCDERMOTT, Bob				✓
			GT	JMK					
TOTAL	3	0	0	2	TOTAL	4	0	0	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
---	--

Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
---	---

Distribution: Original Yellow Pink Goldenrod

File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency