

SB 1060

Measure Title:

RELATING TO FIREWORKS

Report Title:

Fireworks; Permit Fees; Increase

Description:

Increases the permit fees associated with using and importing fireworks.

Linda Lingle
Governor



Darwin L.D. Ching
Director

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
State Fire Council
830 Punchbowl Street.
Honolulu, Hawaii 96813

February 10, 2009

The Honorable Will Espero, Chair
Committee on Public Safety and Military Affairs
The State Senate
State Capitol, Room 207
Honolulu, Hawaii 96813

Dear Chair Espero:

Subject: S.B. 1060 Relating to Fireworks

I am Kenneth G. Silva, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD support S.B. 1060, which proposes to increase fireworks permit and import license fees.

Fireworks permit and import license fees have not increased for nine years, even though the cost of services provided by fire, police, and emergency medical personnel continues to increase. During New Year's celebrations, the Honolulu Police Department responded to 1,566 fireworks-related incidents in 2007-2008 and 1,361 incidents in 2008-2009. Statewide, fire departments responded to 37 and 33 fireworks-related incidents for the same period, and fireworks injuries totaled 105 for 2007-2008 and 79 for 2008-2009. In addition, the counties bear the cost and responsibility of cleaning the streets and parks that are littered with fireworks debris. Along with the fire departments' responsibility to ensure the public's safety, the number of fireworks display permits and proper accounting of the pyrotechnic inventory items have increased.

The SFC and the HFD request your committee's support on the passage of S.B. 1060.

Should you have any questions, please call HFD Legislative Liaison Lloyd Rogers at 723-7171.

Sincerely,

A handwritten signature in black ink that reads "Kenneth G. Silva".

KENNETH G. SILVA
Chair

KGS/LR:bh

Bernard P. Carvalho, Jr.
Mayor

Robert F. Westerman
Fire Chief

John T. Blalock
Deputy Fire Chief



COUNTY OF KAUAI
Fire Department
Mo'ikeha Building
4444 Rice Street, Suite 295
Lihu'e, Kaua'i, Hawaii 96766

February 9, 2009

The Honorable Will Espero, Chair
Committee on Public Safety and Military Affairs
The State Senate
State Capitol, Room 207
Honolulu, Hawaii 96813

Dear Chair Espero:

Subject: S.B. 1060 Relating to Fireworks

I am Robert F. Westerman, member of the State Fire Council and Fire Chief of the Kauai Fire Department (KFD). The SFC and KFD support S.B. 1060, which proposes to increase fireworks permit fees and the import license fee.

Fireworks permit and license fees have not increased for nine years, although the cost born by the counties in emergency services provided by police, fire and ambulance services continues to grow. Police responded to 1,566 and 1,361 fireworks related calls for 2007/2008 and 2008/2009 New Year's periods. Fire departments responded to 37 and 33 statewide fireworks related calls for the same New Year's period. Statewide fireworks injuries totaled 105 for 2007/2008 and 79 for the 2008/2009 period. In addition, the counties bear the cost and responsibility for cleanup for our streets and parks that are littered with fireworks debris. The number of fireworks display permits has increased and with them an increasing responsibility by fire departments to ensure the safety of the public and proper accounting of the pyrotechnic inventory items.

The SFC and the KFD request your committee's support on the passage of S.B. 1060.

Should you have any questions, please call me at 241-4980.

Sincerely,

A handwritten signature in black ink that reads "Robert Westerman". The signature is written in a cursive style.

Robert F. Westerman
Fire Chief

RFW/LR:cz



LEGISLATIVE INFORMATION SERVICES OF HAWAII

820 Mililani St., Ste. 810
Honolulu, HI 96813

PH: 533-6750 FAX: 599-2606
www.lish.info Email: lishawaii@aol.com

February 12, 2009

Testimony to: Senate Committee on Public Safety & Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

By: Richard C. Botti
Lauren Zirbel
LISH Represents both retailers and wholesalers of fireworks in Hawaii

Re: SB 1060 RELATING TO FIREWORKS

Chairs & Committee Members:

We oppose any increase in firework permit fees for firecrackers. If anything, the existing permit fees should be directed to each county fire department as are the license fees. This can be done by adding the following sentence to 132D-10 of the law, while not increasing the permit fees as the measure dictates. Otherwise the permit fees will continue to go to the general fund of each county.

“The permit fees shall be used solely by each county fire department to pay for the salary of an auditor of fireworks and articles pyrotechnic records and all expenses incurred to fulfill the duties required, including the inspection of inventory and storage facilities, maintenance of required records, and the training of the auditor. “



Oahu
680 Iwilei Road, Suite 575
Honolulu, HI 96817
Tel: (808) 537-5966
Fax: (808) 537-5971
lung@ala-hawaii.org

Kauai
2992 Umi Street
Lihue, HI 96766
Tel: (808) 245-4142
Fax: (808) 245-8488
alahkauai@ala-hawaii.org

Maui
95 Mahalani Street,
Suite # 28-1A
Wailuku, HI 96793
Tel: (808) 244-5110
Fax: (808) 242-9041
alahmaui@ala-hawaii.org

Hawaii
39 Ululani Street
Hilo, HI 96720
Tel: (808) 935-1206
Fax: (808) 935-7474
alahbi@ala-hawaii.org

Website:
www.ala-hawaii.org

E-mail:
lung@ala-hawaii.org

Lung HelpLine
1-800- LUNG-USA
(586-4872)

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Improving Life

One Breath at a Time

Founded in 1904, the
American Lung Association
includes affiliated associations
throughout the U.S.

TO: Senate Committee on Public Safety and Military Affairs

FOR: Hearing Scheduled for 1:15 pm, Thursday, February 12, 2009

**RE: TESTIMONY IN SUPPORT OF THE INTENT OF SB 1060
RELATING TO FIREWORKS**

Chair Espero, Vice Chair Bunda and Committee Members:

The American Lung Association in Hawaii is pleased that this measure seeks to increase the fees for fireworks. However with over 154,000 people in Hawaii, or nearly 13 percent of our population suffering from some type of lung disease, that is made worse by exposure to the particulate smoke from fireworks, **we believe a ban on consumer fireworks would do far more to protect our collective health.** Assuring the cleanest air for everyone in Hawaii is important, especially with the recent increase in volcanic activity which compounds the to the danger of fireworks.

Hawaii has the second highest rate in the nation for childhood asthma and many adults, especially the elderly, suffer from chronic lung disease including emphysema and COPD (Chronic Obstructive Pulmonary Disease). Even people who do not have lung problems often report eye, throat and lung irritation on New Year's Eve.

With so many people experiencing breathing problems directly related to fireworks, the American Lung Association in Hawaii strongly supports any measure that will help clear the air. Every year the American Lung Association publishes the State of the Air report for the nation and each state. Hawaii, with its generally clean air, receives high marks with the exception of a "D" for short-term air pollution as a result of one night – New Year's Eve.

It is time to act responsibly and stop this willful disregard for the health of our fellow citizens, especially those who might be unable to speak for themselves – our children and the elderly. Specific action to ban fireworks is what is called.

Respectfully, submitted,

Jean Evans, MPH
Executive Director
American Lung Association in Hawaii

To: Senate Committee on Public Safety & Military Affairs
Senator Will Espero, Chair
Senator Robert Bunda, Vice Chair

From: Colleen Y. Aina, Owner
PINKY'S 5 EIGHT (retail, convenience store)
Papaikou, HI 96781
(808) 640-4745

Hearing Date: February 12, 2009
Hearing Time: 1:15pm
Hearing Place: Conference Room 229

Subject: **SB1060** (Increase of permit fees)

Position: OPPOSITION TO SB1060

We are opposed to SB1060 which will increase the Consumer Firecracker Permit fees from \$25 to \$35.

One can surmise the intent of this bill: increase revenue for the respective County's general fund and eliminate firecracker use by making the firecracker fees unaffordable to the average Hawaii consumer. There are several concerns in light with this train of thought.

CULTURAL ELEMENT: Firecrackers and the New Year's celebration go hand in hand. Culturally, the belief is that the igniting of firecrackers at midnight will ward off bad luck and will call attention of the gods to bring in good luck for the upcoming year.

For those of Chinese ancestry, the ritual of firecrackers and the New Year is paramount to Chinese heritage. In addition to traditional New Year's, Chinese New Year is celebrated with just as much fan fare in Chinatown. Firecrackers are the catalytic element to this celebration.

CREATION OF HOMEMADE FACSIMILES: By making such a commodity unaffordable, it will encourage "creative manufacturing" of existing legal fireworks to simulate the effects of firecracker. Herein lays one of the greatest reasons for fireworks related injuries---homemade fireworks.

ENCOURAGE THE PURCHASE OF ILLEGAL FIRECRACKERS: Increasing the fees will make the purchase of illegal firecrackers (those sizes larger than the 5,000 unit count) more appealing. Why pay the additional fee for something "ordinary" like the legal 5,000 count firecracker, when a more exciting longer firecracker is available?

In summation, increasing the Consumer Firecracker Fee will have short term benefits---increase of revenue. But will reap long-term problems---additional and possibly major bodily injuries due to the "creative manufacturing" of firecracker facsimiles and the encouragement to purchase illegal firecrackers. Therefore, we are opposed to SB1060.

Thank-you for the opportunity to testify.