

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

January 27, 2010

The Honorable Faye Hanohano, Chair
Committee on Public Safety
House of Representatives
State Capitol, Room 303
Honolulu, Hawaii 96813

Dear Chair Hanohano:

Subject: H.B. 1987 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 offer the following comments:

1. We support the statewide ban of consumer fireworks, with the exception of special events and professional public fireworks displays.
2. We believe each county should determine the potential hazards of fireworks and the benefit to their community by further restricting fireworks use based on each county's needs and resources. Chapter 132D-17, Hawaii Revised Statutes states that no county may enact stricter laws or rules relating to the present fireworks law.
3. We support measures that make the arrest and prosecution for the illegal purchase, possession, setting off, igniting, or discharging of fireworks easier and increase the penalties and consequences for convictions of fireworks violations.

Should you have any questions, please call SFC Administrator Socrates Bratakos at 723-7151.

Sincerely,

A handwritten signature in cursive script, appearing to read "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
Hale Pumehana Building
3083 Akahi Street, Suite 101
Lihue, Kauai, Hawaii 96766

January 26, 2010

The Honorable Faye P. Hanohano, Chair
Committee on Public Safety
The House of Representatives
State Capitol, Room 303
Honolulu, Hawaii 96813

Dear Chair Hanohano:

Subject: H.B. 1987 Relating to Fireworks

I am Robert F. Westerman, member of the State Fire Council (SFC) and Fire Chief of the Kauai Fire Department (KFD). The SFC and the KFD offer the following comments:

1. We support the statewide ban of consumer fireworks, with the exception of special events and professional public fireworks displays.
2. We believe each county should be allowed to determine the potential hazards that fireworks present and the benefit to their community by further restricting fireworks use based on each county's needs and resources. Chapter 132D-17, Hawaii Revised Statutes states that no county may enact stricter laws or rules relating to the present fireworks law.
3. We support measures that make the arrest and prosecution for the illegal purchase, possession, setting off, igniting, or discharging of fireworks easier. We also support measures that increase the penalties and consequences for convictions for fireworks violations.

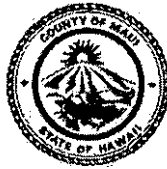
Should you have any questions, please call me at 241-4980.

Sincerely,

Robert F. Westerman
Fire Chief

RFW/crz

**CHARMAINE TAVARES
MAYOR**



**JEFFREY A. MURRAY
CHIEF**
**ROBERT M. SHIMADA
DEPUTY CHIEF**

**COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY**

200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
(808) 270-7561
FAX (808) 270-7919

January 26, 2010

The Honorable Faye P. Hanohano, Chair
Committee on Public Safety
The House of Representatives
State Capitol, Room 303
Honolulu, Hawaii 96813

Dear Chair Hanohano:

Subject: H.B. 1987 Relating to Fireworks

I am Jeffrey A. Murray, Fire Chief of the County of Maui, Department of Fire & Public Safety (MFD) and a Member of the State Fire Council (SFC). The MFD and the SFC offer the following comments:

1. We support the statewide ban of consumer fireworks, with the exception of special events and professional public fireworks displays.
2. We believe each county should be allowed to determine the potential hazards that fireworks present and the benefit to their community by further restricting fireworks use based on each county's needs and resources. Chapter 132D-17, Hawaii Revised Statutes states that no county may enact stricter laws or rules relating to the present fireworks law.
3. We support measures that make the arrest and prosecution for the illegal purchase, possession, setting off, igniting, or discharging of fireworks easier. We also support measures that increase the penalties and consequences for convictions for fireworks violations.

Should you have any questions, please call SFC Administrator Socrates Bratakos at 723-7151.

Sincerely,


JEFFREY A. MURRAY
Fire Chief

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET, HONOLULU, HAWAII 96813
AREA CODE 808 • 527-6494

PETER B. CARLISLE
PROSECUTING ATTORNEY



DOUGLAS S. CHIN
FIRST DEPUTY
PROSECUTING ATTORNEY

THE HONORABLE FAYE HANAHOANO, CHAIR
HOUSE PUBLIC SAFETY COMMITTEE
Twenty-fifth State Legislature
Regular Session of 2010
State of Hawai'i

January 28, 2010

RE: H.B. 1987; RELATING TO FIREWORKS.

Chair Hanohano and members of the House Committee on Public Safety, the Department of the Prosecuting Attorney submits the following comments on H.B. 1987.

The purpose of this bill is to add a new part in chapter 132D to permit places used to commit fireworks violations to be abated as nuisances. In addition, this bill authorizes forfeiture for property used in or proceeds obtained by the commission of fireworks offenses.

The nuisance abatement procedures set forth in this bill are similar to existing nuisance abatement provisions in Hawaii Revised Statutes (HRS) chapter 712, part V. These provisions allow for the abatement of places used for prostitution and certain drug offenses which tend to involve continual or ongoing activity. We note that HB 1987 appears to permit nuisance abatement for any fireworks violation under HRS chapter 132D and this may be overly broad. Given that HRS chapter 132D covers some conduct that may cover only a short period of time and may not involve continual or ongoing activity, nuisance abatement may not be appropriate. For example, if a person sets off two illegal aerials on New Year's Eve, he or she has committed violations of HRS chapter 132D and he or she could be subject to the nuisance abatement provisions of this bill even if they do not commit any further violations.

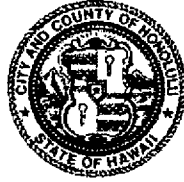
We do not have any objection to permitting forfeiture for fireworks violations but would suggest that the amendment to HRS section 712A-4 in section 2 of the bill be deleted and that forfeiture be authorized by placing the following in a new section in HRS chapter 132D:

“Section 132D-_____ Forfeiture. In addition any penalties that may be imposed for violations of this Chapter, instrumentalities of violations of this Chapter, proceeds from violations of this Chapter, or property obtained or maintained with such proceeds shall be subject to forfeiture pursuant to Chapter 712A.”

Thank you for this opportunity to testify.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET - HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 - INTERNET: www.honolulu-pd.org



MUFU HANNEMANN
MAYOR

LOUIS M. KEALOHA
CHIEF

DELBERT T. TATSUYAMA
RANDAL K. MACADANGANG
DEPUTY CHIEFS

OUR REFERENCE MM-PU

January 28, 2010

The Honorable Faye P. Hanohano, Chair
and Members
Committee on Public Safety
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Hanohano and Members:

Subject: House Bill No. 1987, Relating to Fireworks

I am Michael Moses, Acting Assistant Chief of the Regional Patrol Bureau of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department does not oppose HB 1987, Relating to Fireworks, however, we feel this measure to create a nuisance abatement section for fireworks violations will lead to the same challenges encountered when dealing with suspected drug houses. We support any legislation relating to the following:

1. A statewide restriction of consumer fireworks, with the exception of special events and professional public fireworks displays.
2. Each county should be allowed to determine the potential hazards that fireworks present and the benefit to their community by further restricting fireworks use based on each county's needs and resources. Chapter 132D-17, Hawaii Revised Statutes states that no county may enact stricter laws or rules relating to the present fireworks law.
3. Measures that make the arrest and prosecution for the illegal purchase, possession, setting off, igniting, or discharging of fireworks easier. We also support measures that increase the penalties and consequences for convictions for fireworks violations.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Moses", with a long horizontal line extending to the right.

MICHAEL MOSES, Acting Assistant Chief
Regional Patrol Bureau

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoha", written over a horizontal line.

LOUIS M. KEALOHA
Chief of Police

Serving and Protecting With Aloha

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

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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: House Committee on Public Safety

FOR: Hearing Scheduled for 9:45 am Thursday January 28, 2010

**RE: TESTIMONY IN SUPPORT OF THE INTENT OF HB 1987
RELATING TO FIREWORKS**

Chair Hanohano, Vice Chair Aquino and Committee Members:

The American Lung Association in Hawaii supports any that measure seeks to reduce the impact of fireworks. However with over 175,000 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** than would this abatement measure aimed at curbing illegal use. Assuring the cleanest air for everyone in Hawaii is important, especially with the recent increase in volcanic activity that compounds 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.

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 for. We support a statewide ban or legislation that allows counties to have the authority to regulate fireworks.

Respectfully, submitted,

Jean Evans, MPH
Executive Director
American Lung Association in Hawaii



LEGISLATIVE INFORMATION SERVICES OF HAWAII

1188 Bishop St., Ste. 608
Honolulu, HI 96813

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

January 28, 2010

Testimony to: House Committee on Public Safety
Rep. Faye P. Hanohano, Chair
Rep. Henry J.C. Aquino, Vice Chair

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

Re: HB 1987 RELATING TO FIREWORKS

Chairs & Committee Members:

This bill is an attempt to address the current situation we have with the illegal importation, sale and use of aerial fireworks.

Fireworks are a part of Hawaii's rich, cultural heritage; a part of Hawaii's broad ethnicity and religion. We do not want this to be lost. However, please remember that the existing Hawaii fireworks law limits legal fireworks use to only a few hours on the Fourth of July, New Year's Eve and Chinese New Year's Day and, subject to a permit on other occasions.

Sadly, there are those that insist on going beyond the limits of the law. We all agree that they have gone too far.

Furthermore, and unfortunately, the dark side of the issue is that there is a lucrative black market for illegal fireworks that must be very profitable based on the increasing activity that we have seen over the past several years.

While our police say they have a hard time enforcing some parts of the law because they don't see the violation, this current situation is totally unacceptable to all of us. It requires changes in the law.

H.B. 1987 is a major piece of legislation that attempts to address the current unacceptable situation.

The current Hawaii fireworks law requires an importer's license to bring any fireworks into Hawaii. The current Hawaii fireworks law also requires a storage license to store any fireworks in a warehouse and current law requires that the warehouse meet all federal, state and local codes including zoning, building, fire and all other applicable codes. The current Hawaii fireworks law requires a wholesaler's license to sell any non-aerial, consumer fireworks to a retailer. And that retailer has to have a license to sell non-aerial consumer fireworks to a Hawaii citizens. And, these sales may only occur on a very limited number of days each year and during a very limited number of hours on those limited number of days. Finally, the current Hawaii fireworks law requires that a person or company putting on a public display using aerial fireworks or display fireworks must have a permit issued by the county in which that event is to occur.

So, the problems that we are addressing here is the importation and/or storage and/or sale and/or use of aerial fireworks and/or display fireworks without having obtained the required licenses or permits.

The current Hawaii fireworks law at 132D-8.6 specifies penalties ranging from a petty misdemeanor to a class B felony for violating this section. The severity of the penalty is related to the quantity of fireworks or articles pyrotechnic. 25 pounds or less is a petty misdemeanor. Between 25 pounds and 300 pounds is a

misdemeanor. Between 300 pounds and 10,000 pounds is a class C felony. Over 10,000 pounds is a class B felony.

The current Hawaii fireworks law at 132D-14 specifies penalties for all other offenses. Prohibited acts include:

- (1) importing any aerial or display fireworks or articles pyrotechnic without a license--a class C felony;
- (2) purchasing, possessing, setting off, igniting, or discharging aerial or display fireworks or articles pyrotechnic without the required permit for the specific event--25 pounds or less is a misdemeanor; over 25 pounds is a class C felony;
- (3) transferring or selling aerial or display fireworks or articles pyrotechnic to a person who does not have the required permit--a class C felony;
- (4) removing or extracting the pyrotechnic content from any fireworks or articles pyrotechnic and using it to construct other fireworks, article pyrotechnic or similar device--a misdemeanor; and
- (5) any other violation of this chapter is a \$ 2,000 fine.

So, we can see that the current Hawaii fireworks law has a very specific set of prohibitions.

Nevertheless, we believe that with some careful refinements and more focused penalties H.B. 1987 can be an important part of a more effective set of enforcement tools that we all need and want to be able to address the current unacceptable situation. In short, we are saying that the bill needs some significant work--to narrow the range of circumstances in which seizures may occur; to rebalance other enforcement provisions; and to create a more streamlined process for police officers to issue citations to any individual that uses legal or illegal fireworks when not allowed by law.

This measure is extremely complex. We need more time to digest exactly what it will do, to offer positive suggestions on how to improve and focus the enforcement strategy in the bill and to put forth for consideration other enforcement tools that we believe will make a real difference.

We ask for some time to work with staff and others you so designate to complete our list of suggested improvements to the current law and refinements to this bill. We want a final bill to pass that will be effective in eliminating the illegal use of aerial fireworks, the use of illegal explosive devices and the illegal use of display fireworks and articles pyrotechnic.

In 1994, we helped write the current fireworks law that banned use of aerial fireworks except when a permit had been issued by the county. Each year since, we have been a part of efforts to address this continuing problem. We worked continuously and carefully in 2000 to further improve the enforcement tools. We do not import, store, sell or use aerial fireworks. We do not condone their illegal use. In 2010 as in years past, we want to be part of the solution.

Thank you.

aquino1-Ruffalyne

From: Robert Hurlock [shawmanfromtibet@gmail.com]
Sent: Tuesday, January 26, 2010 1:46 PM
To: PBStestimony
Subject: testing

Aloha !

I am 100% for the Bill - (HB-1987).

May All Good Days Be Yours!

Bob Hurlock

94-218 Noholoa Hale #25

Mililani, HI. 96789.

Fireworks_testimony

Aloha,

I have lived in Representative Luke's district since 2002. I ask this committee to pass HB 1987 as soon as possible.

The legislature must enact tighter restrictions on consumer fireworks sales, including the so-called paperless varieties. A fireworks ban that applies only to Oahu or urban Honolulu does little good, as a few people will still bring and use fireworks in urban Honolulu.

The state's penalties for the sale and possession of explosives and powerful fireworks must be increased and enforced.

Some may blame Federal agencies for their lax harbor inspections. I believe that stricter Federal and state inspections are needed. But I am shocked that it is this easy to ship large quantities of explosives into Honolulu.

Our police and fire departments have enough to do on the holidays. They should not be answering false commercial and residential alarms that were triggered by illegal fireworks. It is a waste of emergency services, especially in a bad economy.

The smoke from the fireworks on New Years Eve was so bad that at 1 am I could barely see the Nuuanu YMCA building. The smoke sat in the street because the wind was not blowing very hard. The YMCA building is directly across the street from my apartment at Queen Emma Gardens.

My wife has asthma, and we both have allergies. We could not leave Oahu this year because she injured her leg in November. The only alternative we had on New Years Eve was to close our windows, turn up our air filter and tough it out.

The noise from aerials and concussion bombs sounded more like a war zone than a neighborhood. I could hear explosions echoing off the Punchbowl and downtown buildings. I am not a military veteran, but I am concerned that people in our community who suffer from post-traumatic stress disorders (PTSD) do not deal well with the smoke, noise and light from fireworks. It is a shame that we must deal with this in the shadow of the Punchbowl National Cemetery.

Many of my neighbors leave their windows open each night. This is not "just one night" problem, either. A few people started shooting off fireworks weeks ago near downtown. On Sunday, January 24 at 2:50 am, we were awakened by a very loud explosion that set off car alarms throughout downtown Honolulu.

Please don't wait until a stray aerial explodes in someone's home or a malfunctioning concussion bomb falls onto a crowded street. Our citizens deserve better, and the state does not need this kind of international attention as we revive our tourism industry.

TESTIMONY FROM

JENNIFER CHIWA

COMMITTEE ON PUBLIC SAFETY

THURSDAY, JANUARY 28, 2010

9:45 A.M.

CONFERENCE ROOM 309, STATE CAPITOL, 415 SOUTH BERETANIA STREET

HOUSE BILL 1987

THREE COPIES

COMMITTEE ON PUBLIC SAFETY
Thursday, January 28, 2010
9:45 a.m.
Conference Room 309

ALOHA CHAIRPERSON HANOHANO, VICE CHAIRPERSON AQUINO AND COMMITTEE MEMBERS.
MY NAME IS JENNIFER CHIWA. I STRONGLY SUPPORT HOUSE BILL 1987, RELATING TO
FIREWORKS. (1) THE POLICE AND FIRE DEPARTMENTS AND THE EMERGENCY MEDICAL
SERVICES SUPPORT A BAN ON CONSUMER FIREWORKS. CONSUMER FIREWORKS CLEARLY
POSE A DANGER TO PEOPLE, ANIMALS AND PROPERTY. I URGE YOU TO SUPPORT
AND STAND WITH THE PEOPLE WHO RISK THEIR LIVES FOR OUR HEALTH AND SAFETY.
(2) CONSUMER FIREWORKS ARE NOT ALLOWED IN WAIKIKI UNLESS A PERMIT IS ISSUED
FOR SPECIAL OCCASIONS. WHY ARE THE HEALTH AND SAFETY OF TOURISTS MORE IMPORTANT
THAN THE HEALTH AND SAFETY OF THOSE OF US, PEOPLE AND ANIMALS, WHO LIVE HERE?
I URGE YOU TO CONSIDER THE HEALTH AND SAFETY OF THOSE OF US WHO LIVE HERE TO
BE AS IMPORTANT AS THAT OF TOURISTS. (3) THERE ARE THOSE WHO SAY THEY ARE
ENTITLED TO PLAY FIREWORKS AS A CULTURAL OBSERVANCE. THE HEALTH AND SAFETY
OF ALL OF US ARE MORE IMPORTANT THAN ANY CULTURAL OBSERVANCE BY THE FEW.
PLEASE SUPPORT HOUSE BILL 1987. THANK YOU FOR THIS OPPORTUNITY TO TESTIFY.

JENNIFER CHIWA

TESTIMONY FROM

DENISE A. OKUHARA

COMMITTEE ON PUBLIC SAFETY

THURSDAY, JANUARY 28, 2010

9:45 A.M.

CONFERENCE ROOM 309, STATE CAPITOL, 415 SOUTH BERETANIA STREET

HOUSE BILL 1987

THREE COPIES

COMMITTEE ON PUBLIC SAFETY
Thursday, January 28, 2010
9:45 a.m.
Conference Room 309

ALOHA CHAIRPERSON HANOHANO, VICE CHAIRPERSON AQUINO AND COMMITTEE MEMBERS.
MY NAME IS DENISE A. OKUHARA. I FIRMLY SUPPORT HOUSE BILL 1987, RELATING
TO FIREWORKS. (1) THERE ARE THOSE WHO SAY PLAYING FIREWORKS IS PART OF
THEIR TRADITION. HUMAN SACRIFICE WAS A TRADITION IN SOME CULTURES, AND
SIMPLY BECAUSE AN ACTIVITY IS TRADITION FOR SOME PEOPLE DOES NOT MAKE IT
RIGHT OR WHAT IS BEST FOR THE HEALTH AND SAFETY OF THE MAJORITY OF PEOPLE
AND ANIMALS. (2) THERE ARE THOSE WHO SAY FIREWORKS ARE PLAYED PRIMARILY
ONLY ONCE, ONLY AT NEW YEAR'S. EVERYONE KNOWS ILLEGAL FIREWORKS ARE PLAYED
STARTING AT THANKSGIVING AND PAST NEW YEAR'S. FURTHERMORE, IT ONLY TAKES
ONE TIME TO CAUSE SERIOUS INJURY OR DEATH TO PEOPLE AND ANIMALS. (3) THE
POLICE AND FIRE DEPARTMENTS AND THE EMERGENCY MEDICAL SERVICES SUPPORT A
BAN ON CONSUMABLE FIREWORKS. THE PEOPLE WHO ARE WILLING TO RISK THEIR LIVES
FOR OUR HEALTH AND SAFETY DESERVE TO HAVE US STAND WITH THEM. PLEASE
SUPPORT HOUSE BILL 1987. THANK YOU FOR THIS OPPORTUNITY TO TESTIFY.

DENISE A. OKUHARA

aquino1-Ruffalyne

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 27, 2010 1:12 PM
To: PBStestimony
Cc: reiziss@hawaiiantel.net
Subject: Testimony for HB1987 on 1/28/2010 9:45:00 AM

Testimony for PBS 1/28/2010 9:45:00 AM HB1987

Conference room: 309
Testifier position: support
Testifier will be present: No
Submitted by: stann W. Reiziss, Ph.D.
Organization: Individual
Address: Kailua, Hawaii 96734
Phone:
E-mail: reiziss@hawaiiantel.net
Submitted on: 1/27/2010

Comments:

Comments:

Please Support HB1987 Hearing on January 28, 2010 @9:45 Conference Room 309

Justification for supporting HB1987:

- Between December 31 through January 2, 2010, one hundred and twelve persons were injured by fireworks; seven admitted a hospital. These numbers only account for reported injuries.
- The ages of those injured by fireworks ranged from two years old to eighty two.
- More children under sixteen years old were hurt from fireworks during this time frame than the entire month of injuries from auto accidents, poisonings, and assaults combined.
- No accurate account was even attempted to account for pets and wildlife emotionally traumatized or injured as a result of fireworks.
- Forty million, two hundred fifty thousand (8050 permits X 5000 firecrackers) were discharged. This number only accounts for fireworks requiring a permit. It obviously excludes all illegal discharges.
- According to the American Lung Association, there are at least 175,000 people in Hawaii with some type of lung disease.
- On a typical day in Honolulu, particulate matter ranges from 4 to 15 micrograms per cubic meter.
- On January 1st, 2010 the particulate matter from the fireworks explosions was measured by the Health Department as high as 632 micrograms per cubic meter. Far in excess of Federal standards.
- Surely even those living beings with healthy lungs were in jeopardy.

- Add to all this, the property damage from fireworks caused fires, the compression impact damage to property, and hearing damage caused by the numerous bottle bomb devices that punctuated the night.
- The Secret Service was put on alert in order to protect our vacationing President Obama and his family in case they were in danger of harm from fireworks, intentionally or inadvertently

* If this isn't terrorism, a clear State security risk, please explain to me what is. Plainly, all the ingredients and opportunities are omnipresent under the guise of "celebrating" the New Year and scaring away "evil" spirits through fireworks.

What could be more "evil" than the devastating effects of fireworks as outlined above?

•• In my opinion, and in the opinion of the majority of the Hawaiian Island residents, fireworks must be banned for use by amateurs, and stringent laws of enforcement must be implemented.

••• I implore you to immediately take every action you are empowered to use in order to mitigate, and preferably eradicate this clear, present, and continuing dangerous problem.

Please support HB1987, and additional legislation designed to keep fireworks out of the hands of amateurs, and provide enforcement

Respectfully submitted by,

Stann W. Reiziss, PhD and Jean Stromberg P.O. Box 1517 Kailua-Oahu, Hawaii 96734
808-230-8199 (H)
reiziss@hawaiiantel.net

aquino1-Ruffalyne

From: Dodie Lau [lau@hawaii.edu]
Sent: Wednesday, January 27, 2010 3:14 PM
To: PBStestimony
Subject: In support of HB1987 Relating to Fireworks

Dear Members of the Hawaii State Legislature:

My husband and I are in total support of any state legislation that will ban the use of fireworks. Times have changed and our state population over 1 million and growing. Also on the rise is the number of thoughtless and reckless people setting off horrific bomb explosions and hazardous aerals. It's frightening, dangerous, and without purpose. Most of our nation has outlawed individual use of fireworks along with numerous Asian countries. It's baffling and embarrassing that Hawaii continues to let these dangerous practices prevail. And ESPECIALLY in this era of global terrorist threats; it makes no sense at all.

Please do the right thing and pass all legislation to ban fireworks for a peaceful New Year's Eve celebration for everyone.

Thank you,
Ms. Licia L. Lau and Mr. Michael J. Quinn
Aina Haina, Oahu

aquino1-Ruffalyne

From: Josette Scott [alohajosy@msn.com]
Sent: Wednesday, January 27, 2010 3:35 PM
To: PBStestimony
Subject: testing

So many people want a bill passed to ban all fireworks and it's somewhat difficult to understand why it has'nt been done.

If I believe the newspapers, this island has a very large number of people with lung disease, I can imagine how bad they must feel every new year.

I also understand that each year people get burned or hurt by fireworks and this year it was especially so. The firemen are kept also pretty busy with fires. And can anyone imagine how scared our pets are? I understand that 2 of them died?

Knowing all this when I read some comments from the people who want to fight the ban such as the mother who said her children enjoy the fireworks, I ask myself I wonder what it is they enjoy the most, the noise or the smoke? because let's be honest here it's pretty much all it is, nothing really pretty to look at for the most part.

But what bothers me the most is the fact that they feel it's OK for all the hurtful, negative things happening on new year because they say it's only for a day!! That makes it OK?? What's wrong here??

Let's not forget our politicians who do nothing about it and I wonder why, fear of loosing votes maybe? (Thank you representative Takai, I appreciate you)

I live in Kaneohe and it was the worse year yet because of those loud bombs and for weeks. Next year if nothing has been done to stop this nonsense I will spend New Year off the island, and am positive that a lot of people would like to do the same.

Have differentes places where people can go and enjoy some nice fireworks and done by someone who knows what he's doing.

I hope this is read by someone who can do something about it and I thank you for your time.

Josette Scott
alohajosy@msn.com

aquino1-Ruffalyne

From: Tom [reelcom1@earthlink.net]
Sent: Wednesday, January 27, 2010 4:32 PM
To: PBStestimony
Cc: takai2-Desiree
Subject: PBS Testimony: HB1987

Importance: High

TESTIMONY on HB1987

Tom McAuliffe, Citizen
PBS Committee Hearing

Thursday, January 28, 2010, 9:45 A.M.
Conference Room 309
HB 1987

Enough! Personal Fireworks need to be banned.

We lost a 13-year member of our family this New Year's eve. Our cat Shadow, already frail, could not deal with the bombs and smoke. We miss her beyond words.

First let's be clear about what we are talking about... I'm not talking about sparklers and a few firecrackers I'm talking about military grade mortar shells, percussion devices and sophisticated professional level aerial fireworks. A few other points to consider;

1. During New Year's even the air quality was so bad in many areas it was in violation of the Federal Clean Air Act. This is a FEDERAL level offense that opens Hawaii up to class-action lawsuits.

2. Two recent online polls indicated that 45 and 46% of people wanted a complete ban, while another 25 and 27% wanted enforcement of existing laws. This means that THREE QUARTERS of voters want significant crackdowns on fireworks! Since enforcement is doing nothing, as is a partial ban, (or a county-by-county ban would be), the only real option there is a total ban. As far as I'm concerned, saying that the half of the people who want to blow the islands to pieces is as important as the half who don't want to get blown up is politically correct shishi and totally outrageous. That's like saying half the population wants to do meth, and their viewpoints are as important as those who don't want to be victimized by meth use.

3. The percussion bombs and poor air quality also likely violate the Endangered Species Act, due to the potentially fatal effects on our delicate and endangered native birds and Hawaiian bat. All that smoke and particulate matter settles and with the first rain goes into the aina. Where are those that say they care about the land?

4) If illegal military grade fireworks are getting through port security what else is getting through? Drugs? Weapons?

It's time to ban all personal aerial fireworks and explosive percussive devices in Hawaii. My wife and I have gone through the "celebration" for the last 5 years every holiday season and its gotten worse and worse. This year the Windward side looked and sounded like World War II. My lungs, eyes and ears still hurt! The problem

is also not just on Oahu. I'm all for celebration, but how much longer will we allow a lawless few to harm the air and peace of mind for the rest of us? Where are those who say they care about the aina and ocean?

Today's modern fireworks are a threat to public safety, the environment and our health. Never again should the citizens of Hawaii and Oahu have to put up with this. And if we do not have the political will to ban fireworks then let us designate a few safe areas away from the population so that they can continue to blow stuff up.

I look forward to actively campaigning this November against any public official who refuses to see the wisdom of banning personal fireworks in Hawaii or at least on Oahu.

PS: By the way... explosions continue to happen in Kaneohe on a regular basis and in fact just last night at 9pm. Wanna come over and watch?

Thank you for listening.

Aloha,

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