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Honolulu, Hawaii

APR 27 2011 , 2011

RE: S.B. No. 172
S.D. 2
H.D. 2
C.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 172, S.D. 2, H.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, among other things, is to:

- (1) Require that display fireworks bear a permanent label listing the licensee's name, address, and contact information as well as the name and business address of the manufacturer;
- (2) Authorize each county fire chief to conduct inspections of the persons conducting a display, including the site where the display is occurring or will occur within the fire chief's county to determine compliance with the applicable



county code and the current editions of the National Fire Protection Association codes and standards;

- (3) Assess an inspection fee upon permittees of displays under section 132D-10(2), Hawaii Revised Statutes;
- (4) Authorize a county fire chief to immediately revoke or suspend any permit issued for display of display fireworks, articles pyrotechnic, or aerial devices within the fire chief's county for certain reasons;
- (5) Limit the times in which display fireworks, articles pyrotechnic, and aerial devices may be set off, ignited, discharged, or otherwise caused to explode from 9:00 a.m. to 9:00 p.m., with certain exceptions; and
- (6) Require license applicants for and shippers of certain fireworks to provide the counties with information regarding the proposed display event and related contact information.

Your Committee on Conference finds that this measure facilitates the arrest and prosecution for the purchase, possession, setting off, igniting, or discharging of fireworks, thereby increasing public safety.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the licensee's contact information on the permanent label required under this measure shall include only the telephone number or electronic mail address; and
- (2) Inserting an effective date of 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. 172, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 172, S.D. 2, H.D. 2, C.D. 1.




Respectfully submitted on behalf
of the managers:

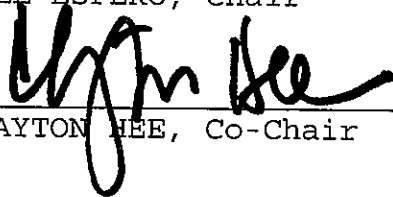
ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


HENRY J.C. AQUINO, Co-Chair


KARL RHOADS, Co-Chair


WILL ESPERO, Chair


CLAYTON NEE, Co-Chair



Hawaii State Legislature

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 172, SD 2, HD 2	Date/Time: 4/21/11 2:08 pm
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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.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
ESPERO, Will, Chr.	✓				AQUINO, Henry J.C., Co-Chr.	✓			
HEE, Clayton, Co-Chr.	✓				RHOADS, Karl, Co-Chr.	✓			
SLOM, Sam	✓				CULLEN, Ty	✓			
					LEE, Marilyn B.				/
					TAKAI, K. Mark				/
					FONTAINE, George R.	✓			
TOTAL	3				TOTAL	4			2

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