

HB 1241 – AS AMENDED BY THE HOUSE

13Mar2014... 0657h

2014 SESSION

14-2238
05/01

HOUSE BILL ***1241***

AN ACT relative to the sale of consumer fireworks.

SPONSORS: Rep. Pantelakos, Rock 25; Rep. Takesian, Hills 37

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill requires a person who sells permissible fireworks to provide a safety pamphlet to the purchaser. The bill also revises membership of the permissible fireworks advisory committee.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to the sale of consumer fireworks.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Distribution of Pamphlet Required. Amend RSA 160-C:12 to read as follows:

2 160-C:12 Distribution of Pamphlet Required. Any person engaged in selling permissible
3 fireworks shall ~~[make available]~~ **provide** to the purchaser a pamphlet, approved by the
4 commissioner, detailing the appropriate and safe use of the permissible fireworks being sold.

5 2 Permissible Fireworks Advisory Committee. Amend RSA 160-C:13 to read as follows:

6 160-C:13 Permissible Fireworks Advisory Committee.

7 I. There is hereby established a permissible fireworks advisory committee. The composition
8 of this committee shall be as follows:

9 (a) One senator, appointed by the senate president;

10 (b) One representative, appointed by the speaker of the house of representatives;

11 (c) The state fire marshal, or designee;

12 (d) The director of the division of state police, or designee; ~~[and]~~

13 (e) **One member of the New Hampshire Association of Fire Chiefs, appointed by**
14 **the governor from a list of up to 3 candidates nominated by that organization;**

15 (f) ~~[3]~~ **Two** public members, ~~[2 of whom shall be]~~ engaged in the retail sale of consumer
16 fireworks in New Hampshire ~~[and one of whom shall be a regular purchaser of consumer fireworks]~~,
17 appointed by the governor, **one of whom shall be appointed from a list of up to 3 candidates**
18 **nominated by the New Hampshire Fireworks Association; and**

19 (g) **One public member appointed by the governor, who does not, and never has**
20 **had any connection to the consumer fireworks business, and is not the spouse of a person**
21 **with any connection to the consumer fireworks business.**

22 **II.** No vote of the committee shall take place unless ~~[3]~~ **5** members of the committee are
23 present. The term of office of each member appointed by the governor shall be 2 years and until a
24 successor is appointed and qualified. The other members of the committee shall serve terms
25 coterminous with their terms in office. Vacancies shall be filled in the same manner for the
26 unexpired terms. Members shall serve without compensation, except that the legislative members
27 shall receive mileage at the legislative rate. The committee shall elect a chairperson annually.

28 ~~[H.]~~ **III.** The committee shall meet at least ~~[once]~~ **twice** per calendar year, prior to October
29 1, and within 30 days of any emergency removal from retail sale of permissible fireworks pursuant to
30 RSA 160-C:16. The purpose of the meeting following the emergency removal of permissible

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1 fireworks shall be to review the basis for the commissioner's decision and to make a recommendation
2 to the commissioner as to whether the items are properly classified pursuant to 27 C.F.R. section
3 555.11.

4 ~~[III.]~~ **IV.** The committee shall review the rules and standards of the Consumer Product
5 Safety Commission regarding consumer fireworks so as to provide information and advice to the
6 commissioner on the application and enforcement of the state's fireworks laws.

7 ~~[IV.]~~ **V.** On or before ~~[December 1, 2011, and each]~~ December 1 ~~[thereafter]~~ **annually** the
8 committee shall make a report of the committee's activities and any recommendations for legislation
9 to the commissioner, the speaker of the house of representatives, **and** the senate president~~[-the~~
10 ~~house clerk, the senate clerk, and the state library].~~

11 3 Effective Date. This act shall take effect 60 days after its passage.