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www.nyspyro.org

Thank you to those who were in Syracuse last Wednesday, February 20, for the NYS DOL informational meetings and were also able to join us for a luncheon meeting at the Oncenter! Our luncheon was held to outline and explain pro-industry legislation that is the long-term solution for containing unwarranted regulatory excesses of the NYS DOL. For those who were unable to make the luncheon, a recap of the meeting content follows below (copies of the meeting handouts are available on request—see check box on registration form).

Please take a moment to fill out the enclosed form and mail it back in the stamped envelope to register for updates regarding NYSPC's progress during the 2008 legislative session.

Spring 2008 is the critical period for passing legislative relief to head off proposed NYS DOL regulatory mandates in the areas of licensed pyrotechnics possession and storage, and soon in the area of private-venue professional display activities. It is generally agreed NYS DOL initiatives, advanced during the past 4 years with little or no advisory input from the industry, are likely to significantly cripple the pyrotechnic industry in New York State. Same as in the 2005-2006 legislative session, an onerous DOL departmental bill has been reintroduced this legislative session (2007-8) in the Legislature, and the NYSPC and allied NYS pyrotechnics industry groups will re-introduce an industry-sponsored alternative to it. The DOL-sponsored bill is, frankly, a disaster for the New York State pyrotechnics display industry because it gives the NYS DOL unduly wide latitude in promulgating new and much stricter regulations for handling, storage and reporting, and it opens the door to prohibition of so-called private shows. Much of the existing and proposed new NYS DOL statutory regulation also continues the present duplication of post-9/11 BATFE regulations with significant industry cost burden and no increase in worker or public safety.

Appropriate explosives labor law legislation is the long-term solution to regulatory pressures on New York pyrotechnics licensees and industry. We hope that you will be able to participate in the **crucial** grassroots effort this spring in support of the NYSPC pro-pyro industry bill as the legislature session progresses toward its June 22 closing date. To help you make your voice heard in Albany, we will send a postcard shortly to all who have registered with the NYSPC; the postcard will have the names and contact information of your NYS legislative representatives and a summary of the talking points. We hope you will take the time to contact your NYS Assembly and Senate members and express your concerns with the NYS DOL bill and your support for the industry alternative.

NYS DOL LO-EX MEETING

On the topic of regulatory changes in the Code 39 Industrial Rulebook, many of which can be effected without passage of new NYS DOL-sponsored legislation, the New York State Department of Labor held February 20th informational meetings in Syracuse for low- and high-explosives users. These meetings focused on the Code 39 regulatory changes relative to security, which are changes the DOL could implement relatively quickly, as opposed to more far-reaching regulations requiring expanded statutory authority. The morning (low-explosives/pyrotechnics) session was well attended. Many issues were raised and discussed, and the DOL expressed a desire to work with the industry in implementing and strengthening plant and magazine security. Nonetheless, it was clear to the NYSPC representatives and other attendees that the DOL intends to require the industry to implement excessive possession and storage security measures regardless of our input. An indication of this stance is that the DOL refuses to accept or recognize or differentiate between storage of high and low explosives and intends to adopt a "one size fits all" approach. It is now clear that, the absence of strong opposition by the fireworks industry, the industry will soon be subject to very onerous, expensive, and demanding new regulations.

A separate committee was formed to serve as a focal point to carry our concerns and suggestions directly to the DOL regarding the immediate issue of Code 39 changes.

NYSPC Goals

The focus of the NYSPC is primarily involved with legislation and statute regarding our industry. Our immediate concern is with the bills the DOL has re-introduced in the Senate and Assembly, and the support of our bills, which will need a significant effort to get reintroduced and passed. However as information comes to our attention regarding Code 39 we will try our best to provide an update on the NYSPC website.

The NYSPC website for legislative information and updates:

<http://www.nyspyro.org/legislative.html>

This page contains many original documents such as:

- NYS Penal Code Articles 270 and 405
- Full text of the pro-pyrotechnics industry Bill
- Current DOL Bill S3911
- Various memos and letters of support for the pro-pyrotechnics industry Bill

Direct your comments, suggestions, or requests for the NYSPC website to: info@nyspyro.org

We are at an important juncture for our industry, one with far reaching and crisis proportions. It is vitally incumbent on of us all to act in unity and with expediency. If we do not then we have only ourselves to blame.

New York State Pyrotechnic Coalition