

**A08166 Summary:**

BILL NO A08166

SAME AS Same as S 4754

SPONSOR Schroeder

COSPNSR Lifton

MLTSPNSR Corwin

Amd S463, Lab L

Relates to explosives and establishes a pyrotechnic review board consisting of five members.

**A08166 Memo:**

BILL NUMBER:A8166

TITLE OF BILL: An act to amend the labor law, in relation to explosives and to establish a pyrotechnic review board

PURPOSE: Establishes a Pyrotechnics Review Board which is independent of the Department of Labor to ensure that the state's pyrotechnics display industry and licensed pyrotechnicians have an effective voice in Department of Labor rulemaking and adjudicatory proceedings under Labor Law S 463.

SUMMARY OF SPECIFIC PROVISIONS: Establishes an independent Pyrotechnics Review Board ("the Board") to advise the Commissioner of Labor on industry standards for pyrotechnic display activities, to review rules and regulations proposed by the Commission under Labor Law S 463, and to serve as an independent arbiter for the Board of Standards and Appeals on appeals in matters of licensing and certification denial or revocation.

Provides that the Board will consist of five members, each serving a three year term. The Governor, the Senator Majority Leader, the Assembly Speaker and the two legislative minority leaders will each have one appointment to the Board. The bill requires Board members to be representatives of businesses engaged in the manufacture, distribution or presentation of display pyrotechnics. It directs the Governor to appoint a Chair from among the Board members, and to designate an Executive Chamber staff person to serve as liaison to the Board. Board members are to serve without compensation, except for actual and necessary transportation, meals and lodging expenses incurred in the performance of their duties.

JUSTIFICATION: This bill would establish an independent Pyrotechnics Review Board, within the Department of Labor, in order to ensure that the state's pyrotechnics display industry and licensed pyrotechnicians have an effective voice in the Department of Labor's regulation of the pyrotechnics display industry.

A review board which includes a strong voice for the pyrotechnics display industry is critical to the industry's growth and success. It will serve as an important advisor to the Department of Labor and

advocate for industry concerns, and will ensure that the Governor's office and the Legislature fully understand the industry's perspectives.

This industry review board that is independent of the Department of Labor is similar to Amusement Ride Safety Review Board, which exists under Labor Law S 870-n.

**PRIOR LEGISLATIVE HISTORY:** New bill. It amends provisions enacted as part of the 2009-10 state budget Chapter 57 of the Laws of 2009, Part CC.

**FISCAL IMPLICATIONS:** This legislation will result in a small cost to the Department of Labor for the payment of Board members' costs for actual and necessary transportation, meals and lodging expenses incurred in the performance of their duties, and for the designation of a staff person to serve as secretary to the Board.

**EFFECTIVE DATE:** Effective 60 days after it becomes law.

*Reference:*

*[http://assembly.state.ny.us/leg/?default\\_fld=&bn=+A08166%09%09&Summary=Y&Memo=Y](http://assembly.state.ny.us/leg/?default_fld=&bn=+A08166%09%09&Summary=Y&Memo=Y)*