

MEMO OF SUPPORT

A.7539b – John / S.4816b – Winner

An act to amend the labor law, in relation to explosives

The New York State Pyrotechnic Association, a statewide association of involved New York State display pyrotechnics businesses and related certified professionals, strongly supports A7539-b - John / S.4816-b – Winner, relating to explosives which amends Article 16 of the NYS Labor Law. There are several reasons this bill is of significant importance:

- Homeland Security—importantly, this bill separates high- and low-explosives user licensing in a way that prevents, within the State, unwarranted access to high explosives. Presently, a common NYS Department of Labor "Own and Possess" license is issued to all explosives users, an inadvisable practice which would cease for low-explosives users under the auspices of A7539. Passage of this bill will accordingly permit the NYS DOL to concentrate its finite certification and investigative resources on high-explosives use, storage and reporting, where state oversight remains an important issue.
- Industry and State Regulatory Burden—this bill removes expensive duplicate state oversight and regulation of low explosives with regard to new federal intrastate possession, use and storage rules imposed under the "Safe Explosives Act of 2002". Elimination of duplicate state regulation is accomplished via A7539 without negative impact on industry or individual safety. This bill also clarifies the statutory right of the industry and its licensed pyrotechnicians to provide displays for private events such as weddings, conventions, competitions, trade shows and so forth.
- Economic—reliance on federal BATFE licensing for low-explosives use within NY State will facilitate the participation of non-NYS participants and the consequent growth of pyrotechnic competitive and industry convention events within New York State. From the mid-1980's until 1998, such events were being held with increasing frequency statewide. However, this activity abruptly ceased with the introduction of mandatory NYS low-explosives user "Own and Possess" licensing in 1998. NYSPA polling of industry and other professional display pyrotechnics organizations outside of NYS previously involved in statewide trade and competitive events indicates that the estimated New York State economic influx attributable to resurgence of display pyrotechnic activity with elimination of the redundant NYS DOL licensing requirement would exceed \$10,000,000 dollars annually.

For these reasons, New York State Pyrotechnic Association urges support of this legislation.

For more information, please contact:

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