



Chairman Coley, Vice-Chairman Uecker, and members of the committee, I am Ken Sprague, president of Hamburg Fireworks and Hamburg Fireworks Displays in Lancaster, OH, and president of the Ohio State Pyrotechnics Association. Thank you for today's opportunity to provide testimony on House Bill 226.

On behalf of my company, as well as the Ohio State Pyrotechnics Association, I would like to express our support and appreciation for Representatives Seitz' and Sweeney's effort to address some of the issues with Ohio's decades old fireworks law.

Ohio has permitted the sale of consumer fireworks for almost 40 years, has more than 50 licensed locations that are able to sell consumer fireworks, but, does not permit the use of any consumer fireworks in the state. This is a dated approach to the consumer fireworks business that should be addressed. Every state bordering Ohio already permits the sale and use of the full line of consumer fireworks.

Establishing a study group comprised of stakeholders in Ohio's fireworks industry to meet periodically to discuss the relevant issues of the fireworks business is a common sense approach to enhancing the relationship between the fireworks industry and enforcement community. Having the ability to discuss such matters as legal consumer fireworks use, how additional storage licenses for 1.3G display fireworks may actually improve safety conditions in Ohio, the fireworks license moratorium, building code requirements, and any and all things relating to Ohio's fireworks industry can only be productive for everyone who is, and has, invested in this industry.

The moratorium on licenses is a topic that always generates much discussion, and I think that the members of the legislature would be surprised to hear that the fireworks community is more open to this discussion than what is thought to be the case. What we have serious concerns with is an immediate, wholesale, end to the moratorium that would dramatically, and instantly, change the landscape of Ohio's fireworks industry. Small companies, like myself, would be put out of business from one season to the next by an influx of larger companies and out of state companies that could immediately secure better locations than many of us are currently licensed for. Many licensees would have liked to move their facilities to better, more commercially viable locations, but under Ohio's law have not able to.

We believe the proposed study group represents a fair and balanced makeup of those who are directly involved with, and invested in, Ohio's fireworks industry. With the exception of the health organizations, everyone proposed is either a member of the fireworks industry, or a regulator of the fireworks industry, and has direct involvement and first-hand knowledge of

all matters related to the industry. That is a recipe for productive discourse and mutual exchange of ideas that can only serve to benefit the citizens of the State of Ohio.

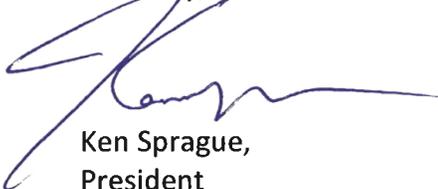
I must address an amendment that we have heard of that would allow certain, ground-based consumer fireworks called fountains to be excluded from the definition of fireworks where they currently reside, and able to be sold in any venue in the state, without any protection or regulation at all.

This is not only unfair to us licensees that must meet some of the most stringent building code standards anywhere in the country for our facilities, but also dangerous to consumers and potentially harmful to our businesses when you consider the potential issues with fireworks in facilities like gas stations, grocery stores and WalMarts. The employees stocking and selling these fireworks will be completely untrained when it comes to consumer fireworks, yet the fingers will be pointed at us if a disaster should strike.

To call these items something else and pretend they aren't consumer fireworks is reckless and irresponsible.

Again, I thank you for your time today and I urge you to vote "yes" for House Bill 226, but "no" for the fountain amendment.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ken Sprague', with a long horizontal flourish extending to the right.

Ken Sprague,
President
Hamburg Fireworks Display Inc.
The Ohio Pyrotechnics Association