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# A BILL FOR AN ACT

RELATING TO FIREWORKS.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	PART I
2	SECTION 1. Chapter 132D, Hawaii Revised Statutes, is
3	amended by adding a new section to be appropriately designated
4	and to read as follows:
5	" <u>§132D-</u> Illegal fireworks task force; established. (a)
6	There shall be established within the department of
7	transportation for administrative purposes an illegal fireworks
8	task force. The task force shall develop a plan and make
9	recommendations to stop the importation of illegal fireworks and
10	explosives to Hawaii and develop a strategy to ensure the safety
11	and security of the airports, harbors, and other facilities and
12	institutions in this State against the discharge of illegal
13	fireworks and explosives.
14	(b) The illegal fireworks task force shall meet a minimum
15	of five times between June 1, 2009, and December 31, 2009. The
16	task force may continue to meet beyond December 31, 2009, if
17	necessary.



Page 2

# **S.B. NO.** $B_{\text{S.D. 2}}^{1059}$

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1	(C)	The department of transportation shall provide
2	administra	ative support to the illegal fireworks task force.
3	(d)	The chair of the illegal fireworks task force shall be
4		. The task force may include representatives from the
5	following	organizations:
6	(1)	Federal Bureau of Investigation;
7	(2)	United States Drug Enforcement Agency;
8	(3)	United States Coast Guard;
9	(4)	Department of Homeland Security;
10	(5)	Department of public safety;
11	(6)	Department of transportation;
12	(7)	Department of agriculture;
13	(8)	Department of transportation - harbors division;
14	(9)	Department of transportation - airports division;
15	(10)	Department of defense;
16	(11)	Department of the attorney general;
17	(12)	Honolulu, Maui, Kauai, and Hawaii county police
18		departments;
19	(13)	State fire council;
20	(14)	Consumer Product Safety Commission;
21	(15)	Federal Aviation Administration;

SB1059 HD1 HMS 2009-3236

Page 3

# S.B. NO. <sup>1059</sup> S.D. 2 H.D. 1

1	(16) Federal Bureau of Alcohol, Tobacco, Firearms, and
2	Explosives; and
3	(17) United States Customs and Border Protection;
4	provided that the governor, the president of the senate, and
5	the speaker of the house of representatives, shall each appoint
6	one member in addition to those specified in paragraphs (1)
7	through (17); provided further that two other members of the
8	task force shall be representatives of the shipping and trucking
9	industries.
10	(e) The illegal fireworks task force shall submit a
11	preliminary plan and strategy report to the legislature no later
12	than January 10, 2010."
13	PART II
13 14	PART II SECTION 2. Section 132D-17, Hawaii Revised Statutes, is
14	SECTION 2. Section 132D-17, Hawaii Revised Statutes, is
14 15	SECTION 2. Section 132D-17, Hawaii Revised Statutes, is amended to read as follows:
14 15 16	SECTION 2. Section 132D-17, Hawaii Revised Statutes, is amended to read as follows: "§132D-17 [ <del>Inconsistent county ordinances, rules.</del> ] <u>County</u>
14 15 16 17	SECTION 2. Section 132D-17, Hawaii Revised Statutes, is amended to read as follows: "\$132D-17 [Inconsistent county ordinances, rules.] County authority. Notwithstanding any other law to the contrary, [no
14 15 16 17 18	SECTION 2. Section 132D-17, Hawaii Revised Statutes, is amended to read as follows: "S132D-17 [Inconsistent county ordinances, rules.] County authority. Notwithstanding any other law to the contrary, [no county shall] counties may enact ordinances or adopt any rules
14 15 16 17 18 19	SECTION 2. Section 132D-17, Hawaii Revised Statutes, is amended to read as follows: "\$132D-17 [Inconsistent county ordinances, rules.] County authority. Notwithstanding any other law to the contrary, [mo county shall] counties may enact ordinances or adopt any rules regulating fireworks or articles pyrotechnic, except as required
14 15 16 17 18 19 20	SECTION 2. Section 132D-17, Hawaii Revised Statutes, is amended to read as follows: "\$132D-17 [Inconsistent county ordinances, rules.] County authority. Notwithstanding any other law to the contrary, [mo county shall] counties may enact ordinances or adopt any rules regulating fireworks or articles pyrotechnic, except as required in this chapter, that [is inconsistent with or] are more



## S.B. NO. <sup>1059</sup> S.D. 2 H.D. 1

1 pyrotechnic that were enacted or adopted by a county before 2 March 31, 1995, except those provisions [which] that are [not 3 inconsistent] consistent with[7] or more restrictive than those 4 of this chapter, are declared void." 5 PART III

6 SECTION 3. Statutory material to be repealed is bracketed7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2050.



#### Report Title:

Illegal Fireworks Task Force; Established; Illegal Explosives

#### Description:

Establishes an illegal fireworks task force to stop the importation of illegal fireworks and explosives. Requires the task force to report a preliminary plan to the legislature no later than January 10, 2010. Allows counties to enact ordinances or adopt rules regulating fireworks that are more restrictive than state law regulating fireworks under chapter 132D, Hawaii Revised Statutes. Effective 7/1/2050. (SB1059 HD1)