

MAR 11 2022

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## SENATE CONCURRENT RESOLUTION

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REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF HARBOR INSPECTION  
PROCEDURES OF STATE DEPARTMENTS AND FEDERAL AGENCIES FOR  
SHIPPING CONTAINERS TO PREVENT THE IMPORTATION OF ILLEGAL  
FIREWORKS INTO THE STATE.

1 WHEREAS, in 2011, the City and County of Honolulu imposed a  
2 partial fireworks ban on pyrotechnics use, making the possession  
3 and use of aerial fireworks and certain other consumer fireworks  
4 illegal; and

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6 WHEREAS, despite the ban and in other areas of the State,  
7 there continue to be numerous instances of illegal firework use,  
8 which have caused physical injuries and property damage; and

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10 WHEREAS, Act 170, Session Laws of Hawaii 2010, established  
11 the Illegal Fireworks Task Force to develop strategies and make  
12 recommendations to the Legislature to address the illegal  
13 importation and use of fireworks in the State; and

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15 WHEREAS, the Illegal Fireworks Task Force recommended in  
16 its January 2011 report an increase in random inspections for  
17 illegal fireworks by expanding the inspection authority for  
18 state departments and focusing cargo inspections to make the  
19 inspections more manageable; and

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21 WHEREAS, pursuant to Act 184, Session Laws of Hawaii 2019,  
22 the Legislative Reference Bureau updated the findings and  
23 recommendations of the January 2011 report; and

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25 WHEREAS, the 2019 Legislative Reference Bureau report,  
26 *Blast From the Past: An Update to the Report of the Illegal*  
27 *Fireworks Task Force to the Legislature for the Regular Session*  
28 *of 2011*, indicated that the "majority of respondents to the  
29 [Legislative Reference] Bureau's Survey appeared to agree that



the issues and challenges presented by the Task Force in its 2011 report remain relevant today."; and

WHEREAS, the state harbors system consists of ten commercial harbors, all of which are under the authority of the State; and

WHEREAS, over ninety-nine percent of the more than two hundred thousand shipping cargo containers that arrive in Hawaii each year come through the State's commercial harbors, and only a small fraction of these shipping containers are inspected by government agencies; and

WHEREAS, the lack of sufficient cargo inspections increases the opportunity for illegal fireworks to enter the State; and

WHEREAS, an audit of current harbor inspection procedures of state departments and federal agencies for out-of-state and interisland arrivals of shipping containers would:

- (1) Outline current inspection procedures at state harbors;
- (2) Identify any shortcomings in the current procedures;
- (3) Determine whether the recommendations of the January 2011 Illegal Fireworks Task Force report and the 2019 Legislative Reference Bureau update to the Task Force's report relating to harbor inspections have been implemented and to what extent; and
- (4) Determine any necessary changes that would reduce the volume of illegal fireworks being imported into the State; now, therefore,

BE IT RESOLVED by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, the House of Representatives concurring, that the Auditor is requested to conduct an audit of current harbor inspection procedures of state departments and federal agencies for out-of-state and interisland arrivals of shipping containers to prevent the importation of illegal fireworks into the State; and



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BE IT FURTHER RESOLVED that the Auditor is requested to include in its audit:

- (1) A review and description of current harbor inspection procedures for illegal fireworks;
- (2) A description of whether and to what extent recommendations made in the January 2011 report of the Illegal Fireworks Task Force and the Legislative Reference Bureau's 2019 update to the report are being implemented; and
- (3) Any recommendations, including any proposed legislation, to reduce the importation of illegal fireworks into the State; and

BE IT FURTHER RESOLVED that the Auditor is requested to submit the audit, including any findings, recommendations, and proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Commander of the Fourteenth Coast Guard District, Auditor, Director of Transportation, Director of Agriculture, Director of Public Safety, and Police Chiefs of the City and County of Honolulu, County of Hawaii, County of Kauai, and County of Maui.

OFFERED BY:

