



GOV. MSG. NO. 1167

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

June 7, 2023

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

✓The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 7, 2023, the following bill was signed into law:

SB821 SD1 HD2 CD1

RELATING TO FIREWORKS.
ACT 067

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on JUN 7 2023

THE SENATE
THIRTY-SECOND LEGISLATURE, 2023
STATE OF HAWAII

S.B. NO. 821
S.D. 1
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO FIREWORKS.

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

1 SECTION 1. In accordance with section 9 of article VII of
 2 the Hawaii State Constitution and sections 37-91 and 37-93,
 3 Hawaii Revised Statutes, the legislature has determined that the
 4 appropriations contained in H.B. No. 300, H.D. 1, S.D. 1,
 5 C.D. 1, and this Act will cause the state general fund
 6 expenditure ceiling for fiscal year 2023-2024 to be exceeded by
 7 \$1,065,017,367 or 11.0 per cent. This current declaration takes
 8 into account general fund appropriations authorized for fiscal
 9 year 2023-2024 in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1, and this
 10 Act only. The reasons for exceeding the general fund
 11 expenditure ceiling are that:

- 12 (1) The appropriation made in this Act is necessary to
- 13 serve the public interest; and
- 14 (2) The appropriation made in this Act meets the needs
- 15 addressed by this Act.

16 SECTION 2. The legislature finds that illegal use of
 17 fireworks in Hawaii has caused brush fires, structural fires,
 18 injuries, and even death despite the various local, state, and



1 federal laws governing the manufacture, transportation,
2 distribution, sale, and use of fireworks. These laws continue
3 to be violated at what appears to be an increasing rate. While
4 law enforcement efforts to control illegal fireworks in Hawaii
5 have had limited results, the legislature finds that a concerted
6 multi-jurisdictional approach is needed to address the illegal
7 fireworks problem in Hawaii.

8 The purpose of this Act is to establish an illegal
9 fireworks task force to plan, coordinate, and engage in law
10 enforcement operations to interdict illegal fireworks; develop a
11 comprehensive strategic plan to stop the importation of illegal
12 fireworks and explosives into Hawaii; promote compliance with
13 the state fireworks control laws; and ensure the safety and
14 security of the airports, harbors, and other facilities and
15 institutions in the State against the discharge of illegal
16 fireworks and explosives.

17 SECTION 3. (a) There shall be established within the
18 department of law enforcement for administrative purposes the
19 illegal fireworks task force. The task force shall use the
20 findings from the legislative reference bureau's 2019 report,
21 "Blast from the Past: An Update to the Report of the Illegal



1 Fireworks Task Force to the Legislature for the Regular Session
2 of 2011", as the basis for developing a comprehensive strategic
3 plan to stop the importation of illegal fireworks and explosives
4 into Hawaii; promote compliance with the state fireworks control
5 laws; and ensure the safety and security of the airports,
6 harbors, and other facilities and institutions in the State
7 against the discharge of illegal fireworks and explosives.

8 (b) The director of law enforcement or the director's
9 designee shall be the chair of the task force.

10 (c) The following individuals or their designees shall
11 serve as members of the task force:

- 12 (1) Attorney general;
- 13 (2) Deputy director of the harbors division of the
14 department of transportation;
- 15 (3) Chief of police of each county police department; and
- 16 (4) Prosecuting attorney of each county.

17 (d) The chair shall invite representatives of the
18 following federal entities to serve as members of the task
19 force:

- 20 (1) United States Attorney's Office, District of Hawaii;
- 21 (2) United States Department of Homeland Security;



- 1 (3) Federal Bureau of Alcohol, Tobacco, Firearms and
2 Explosives;
- 3 (4) Federal Bureau of Investigation;
- 4 (5) United States Coast Guard;
- 5 (6) United States Customs and Border Protection; and
- 6 (7) Office of Homeland Security Investigations of the
7 United States Department of Homeland Security.

8 (e) The task force and their represented agencies may
9 plan, coordinate, and engage in law enforcement operations to
10 interdict illegal fireworks and the task force shall develop a
11 comprehensive strategic plan to stop the importation of illegal
12 fireworks and explosives into Hawaii; promote compliance with
13 the state fireworks control laws; and ensure the safety and
14 security of the airports, harbors, and other facilities and
15 institutions in the State against the discharge of illegal
16 fireworks and explosives.

17 (f) The task force shall submit an interim report on the
18 status of its comprehensive strategic plan, including findings,
19 recommendations, and any proposed legislation, to the
20 legislature no later than twenty days prior to the convening of
21 the regular session of 2024. The task force shall submit a



1 final report of its comprehensive strategic plan, including
2 findings, recommendations, and any proposed legislation, to the
3 legislature no later than twenty days prior to the convening of
4 the regular session of 2025.

5 SECTION 4. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$1,250,000 or so much
7 thereof as may be necessary for fiscal year 2023-2024 to carry
8 out the purposes of this Act, including the hiring of necessary
9 administrative support staff for the task force, operation of
10 the task force, and reimbursement of funds to law enforcement
11 agencies for task-force-related law enforcement operations,
12 including law enforcement personnel, overtime and other salary-
13 related payments, charges for fuel, equipment, and storage and
14 disposal of confiscated fireworks.

15 The sum appropriated shall be expended by the department of
16 law enforcement for the purposes of this Act.

17 SECTION 5. This Act shall take effect on July 1, 2023, and
18 shall be repealed on June 30, 2025.



S.B. NO. 821
S.D. 1
H.D. 2
C.D. 1

APPROVED this **7th** day of **June**, 2023

A handwritten signature in black ink, appearing to read "Josh Green", written over the date line.

GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: MAY 04 2023
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.



President of the Senate



Clerk of the Senate

SB No. 821, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: **MAY 04 2023**
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives