

STAND. COM. REP. NO.

1087

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 498
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred S.B. No. 498, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

beg leave to report as follows:

The purpose and intent of this measure is to require the establishment of, provide funding for, and require legislative reports regarding a program, led by the Department of Public Safety, to conduct random inspections of shipping containers for illegal fireworks and explosives.

Your Committees received written comments in support of this measure from the Department of Law Enforcement, Pearl City Neighborhood Board No. 21, Hawaiian Humane Society, and four individuals.

Your Committees received written comments on this measure from the Department of the Attorney General; Department of Budget and Finance; Department of Transportation; Department of the Prosecuting Attorney of the City and County of Honolulu; Matson Navigation Company, Inc.; Hawaii Harbor Users Group; and Young Brothers, LLC.

Your Committees find that the use of illegal fireworks is a persistent problem in the State. Your Committees believe that the



program proposed by this measure may be effective in addressing this problem and preventing the use of illegal fireworks.

Your Committees have amended this measure by:

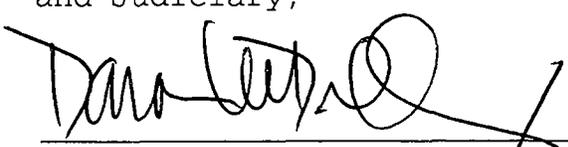
- (1) Inserting certain references to the Department of Law Enforcement, in anticipation of the transfer on January 1, 2024, to that department of certain powers and duties currently exercised by the Department of Public Safety;
- (2) Providing that any additional inspections shall be conducted by members of an appropriate bargaining unit who are subject to Chapter 89, Hawaii Revised Statutes, and not by individuals who are contracted or subcontracted by the Department of Public Safety or Department of Law Enforcement, as the case may be;
- (3) Amending the definitions of "aerial devices" and "fireworks" within state fireworks law;
- (4) Changing the appropriation from \$1,000,000 to an unspecified amount to facilitate further discussion on the measure; and
- (5) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 498, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 498, S.D. 2.

Respectfully submitted on behalf of the members of the Committees on Ways and Means and Judiciary,



KARL RHOADS, Chair



DONOVAN M. DELA CRUZ, Chair

The Senate
 Thirty-Second Legislature
 State of Hawai'i

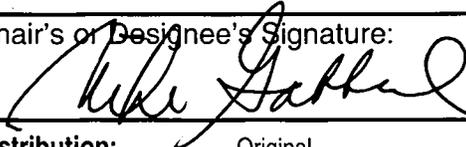
Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 498 SD1	Committee Referral: TRAPSM, WAM/JDC	Date: 3/3/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt				X
TOTAL	12			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 498 SDI	TCA/PSM, WAM/JDC	3/3/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	4	—	1	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes