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**HOUSE OF REPRESENTATIVES**

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AMENDMENT TO: S.B. No. 1059, S.D. 2, H.D. 2, RELATING TO FIREWORKSOFFERED BY: Representative Faye P. HanohanoDATE: 03-08-10

SECTION 1. S.B. No. 1059, S.D. 2, H.D. 2, RELATING TO FIREWORKS, is amended by amending section 1 to read as follows:

"SECTION 1. Chapter 132D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§132D- County ordinances. (a) Nothing in this chapter shall be construed to supersede or in any manner affect a county fireworks ordinance; provided that the ordinance is at least as stringent in the control or prohibition of fireworks as the law under this chapter.

(b) Nothing in this chapter shall prohibit a county from enacting ordinances that are more stringent in the control or prohibition of fireworks than this chapter."

SECTION 2. S.B. No. 1059, S.D. 2, H.D. 2, RELATING TO FIREWORKS, is amended by adding a new section 2 to read as follows:

"SECTION 2. Section 132D-17, Hawaii Revised Statutes, is repealed.

~~["§132D-17 Inconsistent county ordinances, rules.~~

~~Notwithstanding any other law to the contrary, no county shall enact ordinances or adopt any rules regulating fireworks or articles pyrotechnic, except as required in this chapter, that is inconsistent with or more restrictive than, the provisions of this chapter. Any ordinances and rules regulating fireworks or articles pyrotechnic that were enacted or adopted by a county before March 31, 1995, except those provisions which are not inconsistent with, or more restrictive than those of this chapter, are declared void." ] "~~

SECTION 3. S.B. No. 1059, S.D. 2, H.D. 2, RELATING TO FIREWORKS, is amended by adding a new section 3 to read as follows:

"SECTION 3. (a) There shall be established within the legislative reference bureau for administrative purposes an illegal fireworks task force. The task force shall develop a plan and make recommendations to stop the importation of illegal fireworks and explosives into Hawaii and develop a strategy to ensure the safety and security of the airports, harbors, and other facilities and institutions in this State against the discharge of illegal fireworks and explosives.

(b) The illegal fireworks task force shall meet a minimum of five times between June 1, 2010, and December 31, 2010. The

task force may continue to meet beyond December 31, 2010, if necessary. The task force shall be dissolved on June 30, 2011.

(c) The legislative reference bureau shall provide administrative support to the illegal fireworks task force.

(d) The interim chair of the illegal fireworks task force shall be the director of the legislative reference bureau. Upon the appointment of the last member to the task force, the members of the task force shall select a new chair from among their membership. The task force may include representatives from the following organizations:

- (1) Federal Bureau of Investigation;
- (2) United States Drug Enforcement Agency;
- (3) United States Coast Guard;
- (4) Department of Homeland Security;
- (5) Department of public safety;
- (6) Department of transportation;
- (7) Department of agriculture;
- (8) Department of transportation - harbors division;
- (9) Department of transportation - airports division;
- (10) Department of defense;
- (11) Department of the attorney general;
- (12) Police departments of the city and county of Honolulu, county of Maui, county of Hawaii, and county of Kauai;

- (13) Office of the prosecuting attorney of the city and county of Honolulu, county of Maui, county of Hawaii, and county of Kauai;
- (14) State fire council;
- (15) Consumer Product Safety Commission;
- (16) Federal Aviation Administration;
- (17) Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives; and
- (18) United States Customs and Border Protection;

provided that the governor, the president of the senate, and the speaker of the house of representatives shall each appoint one member in addition to those specified in paragraphs (1) through (18); provided further that two additional members of the task force shall be representatives of the shipping and trucking industries; and provided further that two additional members of the task force shall be representatives of the fireworks industry.

(e) The illegal fireworks task force shall submit a preliminary plan and strategy report to the legislature no later than January 10, 2011."

SECTION 4. S.B. No. 1059, S.D. 2, H.D. 2, RELATING TO FIREWORKS, is amended by renumbering sections 2 and 3 to sections 4 and 5 respectively.

SECTION 5. S.B. No. 1059, S.D. 2, H.D. 2, RELATING TO FIREWORKS, is amended by amending the renumbered section 5 to read as follows:

"SECTION 5. This Act shall take effect on July 1, 2015."

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CARRIED	FAILED TO CARRY	WITHDRAWN
<i>Janet M. Hines</i>		<i>3/9-2010</i>
CHIEF CLERK, HOUSE OF REPRESENTATIVES		