

NEIL ABERCROMBIE
GOVERNOR



LATE TESTIMONY

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**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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February 1, 2011

The Honorable Will Espero, Chair
Committee on Public Safety, Government
Operations, and Military Affairs
The State Senate
State Capitol, Room 231
Honolulu, Hawaii 96813

The Honorable J. Kalani English, Chair
Committee on Transportation and International Affairs
The State Senate
State Capitol, Room 205
Honolulu, Hawaii 96813

Dear Chairs Espero and English:

Subject: S.B. 170 Relating to Shipping Container Inspections

I am Kenneth G. Silva, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD support the intent of S.B. 170 and offer the following comments:

1. We support the statewide ban of consumer fireworks, except for special events and professional public fireworks displays.
2. We believe each county should continue to determine potential fireworks hazards and benefits to their community and impose stricter fireworks laws than the state based on each county's needs and resources.
3. We support measures that make for easier arrest and prosecution of the illegal purchase, possession, setting off, igniting, or discharging of fireworks and increase penalties and consequences for convictions of fireworks violations.

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4. We support measures that clarify the current Fireworks Control Law (Chapter 132D, Hawaii Revised Statutes) and promote the effective enforcement and administration of fireworks permits and licenses for regulatory agencies.

The SFC and the HFD urge your committees' support on the passage of S.B. 170.

Should you have any questions, please call SFC Administrator Socrates Bratakos at 723-7151.

Sincerely,



KENNETH G. SILVA
Chair

KGS/LR:cn

**SB 170
RELATING TO SHIPPING CONTAINER INSPECTIONS**

**PAUL T. OSHIRO
MANAGER – GOVERNMENT RELATIONS
ALEXANDER & BALDWIN, INC.**

FEBRUARY 1, 2011

Chair Espero, Chair English, and Members of the Senate Committees on Public Safety, Government Operations & Military Affairs and Transportation & International Affairs:

I am Paul Oshiro, testifying on behalf of Alexander & Baldwin, Inc. (A&B) and Matson Navigation Company, Inc. (a subsidiary of A&B) on SB 170, "A BILL FOR AN ACT RELATING TO SHIPPING CONTAINER INSPECTIONS." We sincerely appreciate the opportunity to provide comments on this bill.

This bill gives the Department of Transportation and the Department of Defense authority to inspect shipping containers at any commercial harbor. We understand the concerns expressed in the bill and would respectfully request that the above mentioned departments remain cognizant of the importance of the efficient flow of commerce to our State. Approximately 200,000 containers arrived in Honolulu Harbor in 2010, of which 70,000 were then transshipped to Neighbor Island harbors. Any delays at the harbors could impair the efficient flow of commerce, which may have an impact on retailers and consumers relying on just-in-time delivery.

Thank you for your consideration.

THE SENATE

Committee on Public Safety, Government Operations, and Military Affairs

Senator Will Espero, Chair

Senator Michelle Kidani, Vice Chair

Committee on Transportation and International Affairs

Senator J. Kalani English, Chair

Senator Will Espero, Vice Chair

State Capitol, Conference Room 224

Tuesday, February 1, 2011; 2:45 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 170
RELATING TO SHIPPING CONTAINER INSPECTIONS**

The ILWU Local 142 wishes to offer comments on S.B. 170, which authorizes the Department of Transportation and Department of Defense to inspect shipping containers for dangerous materials, including explosives.

We fully understand the State's concern about dangerous materials entering the state via shipping containers. Since most of Hawaii's goods come to the State by ship, the State is rightfully concerned about allowing illegal and otherwise dangerous cargo on our soil.

We are, however, concerned about the responsibility and liability related to the opening of shipping containers. It is currently the job of stevedores, represented by the ILWU, to unseal and open shipping containers at the direction of someone with authority. The ILWU seeks assurance that the job of unsealing and opening shipping containers will remain the jurisdiction of stevedores and that responsibility and liability for opening the containers will remain with those with the authority to direct the opening.

Thank you for allowing the ILWU to share our comments on S.B. 170.