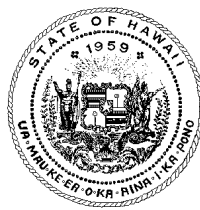


DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

**NOLAN P. ESPINDA**  
DIRECTOR

**Maria C. Cook**  
Deputy Director  
Administration

**Jodie F. Maesaka-Hirata**  
Deputy Director  
Corrections

**Renee R. Sonobe Hong**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

**WRITTEN TESTIMONY ONLY**

TESTIMONY ON HOUSE BILL 497, HOUSE DRAFT 1  
RELATING TO FIREWORKS.

by  
Nolan P. Espinda, Director

Senate Committee on Public Safety, Intergovernmental, and Military Affairs  
Senator Clarence K. Nishihara, Chair  
Senator Glenn Wakai, Vice Chair

Tuesday, March 19, 2019; 1:20 p.m.  
State Capitol, Conference Room 229

Chair Nishihara, Vice Chair Wakai, and Members of the Committee:

The Department of Public Safety (PSD) supports House Bill (HB) 497, House Draft (HD) 1, which establishes a task force to examine the illegal import of fireworks contraband into Hawaii.

Thank you for the opportunity to provide written testimony on this resolution.

Charlotte A. Carter-Yamauchi  
Director

Shawn K. Nakama  
First Assistant

Research (808) 587-0666  
Revisor (808) 587-0670  
Fax (808) 587-0681



LEGISLATIVE REFERENCE BUREAU  
State of Hawaii  
State Capitol, Room 446  
415 S. Beretania Street  
Honolulu, Hawaii 96813

## Written Comments

### **HB497, HD1 RELATING TO FIREWORKS**

Charlotte A. Carter-Yamauchi, Director  
Legislative Reference Bureau

Presented to the Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Tuesday, March 19, 2019, 1:20 p.m.  
Conference Room 229

Chair Nishihara and Members of the Committee:

Good afternoon Chair Nishihara and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on H.B. No. 497, H.D. 1, Relating to Fireworks.

The purpose of this measure is to establish an Illegal Imports Task Force to examine the illegal import of fireworks and contraband into Hawaii.

The measure also requires the Legislative Reference Bureau to assist the Illegal Imports Task Force with the drafting of its final report and any recommended legislation.

The Bureau takes no position on the merits of this measure, but submits the following comments for your consideration.

As a general matter, we note that the task force established in this measure is placed within the Department of the Attorney General, an executive branch agency, for administrative purposes. The Bureau is statutorily directed to use its resources and services to assist the Legislature and its members, unless otherwise directed by the Legislature.

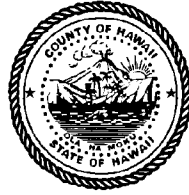
Accordingly, we have some concerns with how the measure is currently drafted with respect to the work requested of the Bureau. The language of the measure requires the Bureau to assist the Illegal Imports Task Force with the drafting of its final report and proposed legislation, even though the task force is housed within an executive agency that possesses far more resources than the Bureau.

If the Committee decides to recommend the passage of this measure and desires to keep the Bureau involved, we respectfully request that the measure be amended to specifically clarify that the Bureau assist with only finalizing the Task Force's report and draft proposed legislation. We also would request that it be specified that the draft report be submitted to the Bureau no later than September 1, 2019, so that work on the report and proposed legislation would not adversely impact our ability to provide our core services to the Legislature for the upcoming Regular Session.

If the measure is amended to address the concerns noted above to have the Bureau assist with finalizing the report and proposed legislation, the Bureau believes that the services requested under the measure would be manageable and that the Bureau will be able to provide the services in the time allotted; provided that the Bureau's interim workload is not adversely impacted by too many other studies or additional responsibilities, such as conducting studies, writing or finalizing other reports, drafting legislation, or any combination of these for the Legislature or for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for your consideration.

**Harry Kim**  
*Mayor*



**Darren J. Rosario**  
*Fire Chief*

**Lance S. Uchida**  
*Deputy Fire Chief*

**County of Hawai'i**  
**HAWAI'I FIRE DEPARTMENT**  
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720  
(808) 932-2900 • Fax (808) 932-2928

March 18, 2019

The Honorable Clarence Nishihara, Chair  
Committee on Public Safety, Intergovernmental,  
and Military Affairs  
The State Senate  
State Capitol, Room 214  
Honolulu, Hawai'i 96813

Dear Chair Nishihara:

**Subject: H.B. 497, HD 1, RELATING TO FIREWORKS**  
**Hearing Date: Tuesday, March 19, 2019**  
**Time/Place of Hearing: 1:20 p.m., Conference Room 229**

I am Darren J. Rosario, Member of the Hawai'i State Fire Council (SFC) and Fire Chief of the Hawai'i Fire Department of the County of Hawai'i (HCFD). The SFC and the HCFD support HB 497, HD 1, which proposes to establish a task force to examine the illegal import of fireworks and contraband into Hawai'i.

The use of unregulated, illegal fireworks endangers the public during its use as well as during the illegal transport of these products. Our office receives dozens of phone calls asking for assistance in eliminating the import of illegal fireworks. These fireworks subject the communities with noise and pollution. Furthermore, the effects to livestock and personal pets are traumatizing.

The SFC and the HCFD respectfully request your passage of HB 497, HD 1 to ensure the general welfare, property conservation, and safety of our communities.

Please do not hesitate to call me at 932-2901 or [darren.rosario@hawaiicounty.gov](mailto:darren.rosario@hawaiicounty.gov) should you have any questions. Thank you for the opportunity to provide testimony in support.

Respectfully,

A handwritten signature in black ink, appearing to read "Darren".

DARREN J. ROSARIO  
Fire Chief





KAUA'I FIRE DEPARTMENT  
THE COUNTY OF KAUA'I  
DEREK S. K. KAWAKAMI, MAYOR  
MICHAEL A. DAHLIG, MANAGING DIRECTOR

KILIPAKI VAUGHAN  
DEPUTY FIRE CHIEF

The Honorable Clarence Nishihara, Chair  
The Honorable Glenn Wakai, Vice Chair  
Senate Committee on Public Safety, Intergovernmental,  
and Military Affairs

March 19, 2019; 1:20 pm  
Conference Room 229

In consideration of  
House Bill 497 HD 1  
Relating to Fireworks Labeling

Aloha Chair Nishihara, Vice Chair Wakai and Members of the Committee:

I am Kilipaki Vaughan, Deputy Fire Chief of the Kauai Fire Department (KFD). The KFD **supports** HB 497 HD 1, which establishes a task force to examine the illegal import of fireworks and contraband into Hawaii.

The KFD fully supports examination of all potential supply chain routes for illegal importation of fireworks into Hawaii. The widespread use of illegal fireworks endangers the public, not only when it is being used, but also as it is transported throughout the state. Deaths and serious injuries have occurred along with property damage from the use illegal fireworks. Neighborhoods are impacted by noise and pollution, veterans are reminded of combat conditions, and animals are traumatized for weeks and sometimes months preceding and following the use of illegal fireworks during New Year's Eve and July Fourth holiday celebrations.

The general welfare, public safety, and property protection are priorities for the KFD, and we respectfully request your committee's passage of HB 497 HD 1.

Should you have questions, please contact me at (808) 241-4980 or via email at [kvaughan@kauai.gov](mailto:kvaughan@kauai.gov)

Ke aloha nui,

Kilipaki Vaughan  
Deputy Fire Chief  
Kauai Fire Department, County of Kauai

[www.kauai.gov](http://www.kauai.gov)

4444 Rice Street Suite 315 • Lihu'e, Hawai'i 96766 • (808) 241-4980 (b) • (808) 241-6508 (f)

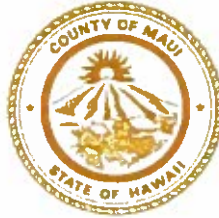
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**MICHAEL P. VICTORINO**  
Mayor

**DAVID C. THYNE**  
Fire Chief

**BRADFORD K. VENTURA**  
Deputy Fire Chief



**DEPARTMENT OF FIRE & PUBLIC SAFETY**  
COUNTY OF MAUI  
200 DAIRY ROAD  
KAHULUI, HI 96732

March 18, 2019

The Honorable Clarence Nishihara, Chair  
Committee on Public Safety, Intergovernmental,  
and Military Affairs  
The State Senate  
State Capitol, Room 214  
Honolulu, Hawaii 96813

Dear Chair Nishihara:

Subject: House Bill (HB) 497 House Draft (HD) 1 Relating to Fireworks

I am David C. Thyne, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC and the MFD support the intent of HB 497 HD 1, which establishes a task force to examine the illegal import of fireworks and contraband into Hawaii.

The SFC fully supports examination of all potential supply chain routes for illegal importation of fireworks into Hawaii. The widespread use of illegal fireworks endangers the public, not only when it is being used, but also as it is transported throughout the state. Deaths and serious injuries have occurred along with property damage from the use illegal fireworks. Neighborhoods are impacted by noise and pollution, veterans are reminded of combat conditions, and animals are traumatized for weeks and sometimes months preceding and following the use of illegal fireworks during New Year's Eve and July Fourth holiday celebrations.

The general welfare, public safety, and property protection are priorities for the SFC, and we respectfully request your committee's passage of HB 497 HD 1.

Should you have questions, please contact SFC Administrative Specialist Lloyd Rogers at (808) 723-7176 or [lrogers@honolulu.gov](mailto:lrogers@honolulu.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "David C. Thyne".

DAVID C. THYNE  
Fire Chief

DCT/LR:clc

**HB-497-HD-1**

Submitted on: 3/18/2019 9:57:42 AM

Testimony for PSM on 3/19/2019 1:20:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jerald E. Farley	Testifying for American Promotional Events, Inc. (APE)	Support	Yes

Comments:

Mr. Chairman and members of the Committee,

American Promotional Events, Inc. is in favor of HB 497 HD1.

Jerald E. Farley

**LARRY S VERAY**

**TO**

**COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

***SUPPORT OF HB 497 HD1***

***RELATING TO FIREWORKS***

**MARCH 17, 2019**

Aloha, Chair's Clarence Nishihara, Vice Chair Glenn Wakai and Committee members. Although I am Chair for the Pearl City Neighborhood Board No. 21, I am submitting this testimony as an individual.

This bill establishes a task force to examine the illegal import of fireworks and contraband into Hawaii.

You have the ability to improve policy and the law to establish this task force to identify how tons of explosives are entering at our port facilities and then being distributed by a controlled organized crime network to all our communities. Your task force could also identify where government inspectors are turning a blind eye or being paid by organized crime for not inspecting or identifying these illegal shipments.

I most strongly urge you to pass HB 497 HD2. Mahalo!

Very respectfully,

*Larry S. Veray*



POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

**LATE**

KIRK CALDWELL  
MAYOR



SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
JONATHAN GREMS  
DEPUTY CHIEFS

OUR REFERENCE DC-SAI

March 19, 2019

The Honorable Clarence K. Nishihara, Chair  
and Members  
Committee on Public Safety, Intergovernmental,  
and Military Affairs  
State Senate  
Hawaii State Capitol  
415 South Beretania Street, Room 229  
Honolulu, Hawaii 96813

Dear Chair Nishihara and Members:

SUBJECT: House Bill No. 497, H.D. 1, Relating to Fireworks

I am Acting Assistant Chief Darren Chun of the Regional Patrol Bureau of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 497, H.D. 1, Relating to Fireworks.

The HPD recognizes that the use of fireworks pose a serious public health and safety hazard and supports a statewide restriction of consumer fireworks, with the exception of special or cultural events and professional public fireworks displays.

The HPD also supports measures that make it easier to arrest and prosecute for the illegal purchase, possession, setting off, igniting, or discharging of fireworks, and measures that increase the penalties and consequences for persons convicted of fireworks violations.

The HPD respectfully supports House Bill No. 497, H.D. 1, Relating to Fireworks.

Thank you for the opportunity to testify.

Sincerely,

Handwritten signature of Darren Chun, Acting Assistant Chief of the Regional Patrol Bureau.

Darren Chun, Acting Assistant Chief  
Regional Patrol Bureau

APPROVED:

Handwritten signature of Susan Ballard, Chief of Police.  
Susan Ballard  
Chief of Police

*Serving and Protecting With Aloha*

**HB-497-HD-1**

Submitted on: 3/19/2019 5:20:27 AM

Testimony for PSM on 3/19/2019 1:20:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
De MONT R. D. CONNER	Testifying for Ho'omanapono Political Action Committee (HPAC)	Oppose	Yes

Comments:

**WE STRONGLY OPPOSE THIS BILL & SEEK TO END THE BAN ON FIREWORKS!**

DAVID Y. IGE  
GOVERNOR

JOSH GREEN  
LIEUTENANT GOVERNOR



SCOTT T. MURAKAMI  
DIRECTOR

LEONARD HOSHIO  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
830 PUNCHBOWL STREET, ROOM 321  
HONOLULU, HAWAII 96813  
[www.labor.hawaii.gov](http://www.labor.hawaii.gov)  
Phone: (808) 586-8844 / Fax: (808) 586-9099  
Email: [dliir.director@hawaii.gov](mailto:dliir.director@hawaii.gov)

**LATE**

March 18, 2019

The Honorable Clarence Nishihara, Chair  
Committee on Public Safety, Intergovernmental,  
and Military Affairs  
The State Senate  
State Capitol, Room 214  
Honolulu, Hawaii 96813

Dear Chair Nishihara:

Subject: House Bill (HB) 497, House Draft (HD) 1 Relating to Fireworks

I am Manuel P. Neves, Chair of the Hawaii State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD support the intent of HB 497, HD 1, which establishes a task force to examine the illegal import of fireworks and contraband into Hawaii.

The SFC fully supports examination of all potential supply chain routes for illegal importation of fireworks into Hawaii. The widespread use of illegal fireworks endangers the public, not only when it is being used, but also as it is transported throughout the state. Deaths and serious injuries have occurred along with property damage from the use of illegal fireworks. Neighborhoods are impacted by noise and pollution, veterans are reminded of combat conditions, and animals are traumatized for weeks and sometimes months preceding and following the use of illegal fireworks during New Year's Eve and Independence Day holiday celebrations.

The general welfare, public safety, and property protection are priorities for the SFC and the HFD, and we respectfully request your committee's passage of HB 497, HD 1.

Should you have questions, please contact SFC Administrative Specialist Lloyd Rogers at 723-7176 or [lrogers@honolulu.gov](mailto:lrogers@honolulu.gov).

Sincerely,

MANUEL P. NEVES  
Chair

MPN/LR:clc