



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

830 PUNCHBOWL STREET, ROOM 321  
HONOLULU, HAWAII 96813  
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February 25, 2008

To: The Honorable Marcus R. Oshiro, Chair  
and Members of the House Committee on Finance

Date: Friday, February 27, 2009

Time: 12:00 p.m.

Place: Conference Room 308, State Capitol

From: Darwin L.D. Ching, Director  
Department of Labor and Industrial Relations

**Re: H.B. 685 - Relating to the State Fire Council**

**I. OVERVIEW OF PROPOSED LEGISLATION**

House Bill 685 creates a full time position for the State Fire Council ("SFC"). The funding for such positions shall be included in the budget of the Department of Labor and Industrial Relations. These positions will "enable the state fire council to more effectively meet its responsibilities."

**II. CURRENT LAW**

On July 1, 1979, Chapter 132, Hawaii Revised Statutes ("HRS"), established the SFC as an administratively attached agency to the DLIR. The SFC was created to replace the State Fire Marshall's Office, which was a fully-funded state agency. However, Chapter 132, HRS, does not allow for the SFC to hire staff. For seventeen years since its inception, the City and County of Honolulu Fire Department, as the largest fire department in the State, assumed the major portion of the expenses incurred to carry out the activities and functions of the SFC.

A full-time officer of the Honolulu Fire Department temporarily served as the administrator of the SFC. However, in July 1996, burdened by not meeting its own goals and expectations at the Honolulu Fire Department, the Honolulu Fire Department officer returned to his assigned position, and the responsibilities of the SFC were relegated to and shared by the Fire Prevention Bureau and Training and Fire Communication Center Bureau. The bureau chief of the Fire Prevention Bureau assumed the responsibilities of the SFC administrator.

The SFC consists of the fire chiefs of the counties and an advisory committee drawn from a broad cross section of the community.

The SFC's functions include, among other things: (1) drafting, reviewing, and revising the State Fire Code; (2) establishing standard procedures and forms relating to inspections, investigations, and reporting of fires; (3) approving plans for cooperation among the county fire departments; and (4) advising the Governor and Legislature with respect to fire prevention and protection, and life safety issues.

### **III. HOUSE BILL**

The Department supports the intent of HB 685, but is concerned about the bill's fiscal impact.

1. The Department recognizes the State Fire Council would like to more effectively meet its responsibilities but given our current budget situation the Department is not comfortable with the costs associated with the creation of an additional position.



**STATE OF HAWAII**  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
**State Fire Council**  
830 Punchbowl Street  
Honolulu, Hawaii 96813

February 26, 2009

The Honorable Marcus Oshiro, Chair  
Committee on Finance  
House of Representatives  
State Capitol, Room 306  
Honolulu, Hawaii 96813

Dear Chair Oshiro:

Subject: H.B. 685, H.D. 1 Relating to the State Fire Council

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 H.B. 685, H.D. 1, which proposes to allow the SFC to hire personnel to accomplish its duties and responsibilities.

The SFC, comprised of the four county Fire Chiefs, was created in 1979 to replace the State Fire Marshal's Office, which was a fully-funded state agency. Under the present organization, the SFC primarily uses county fire department personnel to accomplish council duties, thus depriving county fire departments of the time and services of its members. These duties include amending and adopting the state fire code, pursuing and administering federal grants, and implementing and administering a statewide reduced ignition propensity cigarette program. The fees collected from cigarette manufacturers for a reduced ignition propensity cigarette program will be an eventual funding source amounting to approximately \$375,000 triennially.

The SFC's staff consists of only one part-time person funded by the State Department of Labor and Industrial Relations, to which the SFC is administratively attached. In addition, the SFC is a member of the State Building Code Council and participates in the state building code adoption process; coordinates statewide fire training and data collection; and corresponds with national organizations on statewide fire issues.

This bill would greatly increase the SFC's productivity and benefit communities and fire departments statewide.

The Honorable Marcus Oshiro, Chair  
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The SFC and the HFD urge your committee's support on the passage of H.B. 685,  
H.D. 1.

Should you have any questions, please call HFD Legislative Liaison Lloyd Rogers at  
723-7171.

Sincerely,



KENNETH G. SILVA  
Chair

KGS/LR:bh

Bernard P. Carvalho, Jr.  
Mayor



Robert F. Westerman  
Fire Chief

John T. Blalock  
Deputy Fire Chief

COUNTY OF KAUAI  
Fire Department  
Mo'ikeha Building  
4444 Rice Street, Suite 295  
Lihu'e, Kauai, Hawaii 96766

February 26, 2009

The Honorable Marcus R. Oshiro, Chair  
Committee on Finance  
House of Representatives  
State Capitol, Room 434  
Honolulu, Hawaii 96813

Dear Chair Oshiro:

**Subject: H.B. 685, H.D. 1 Relating to the State Fire Council**

I am Robert F. Westerman, member of the State Fire Council (SFC) and Fire Chief of the Kauai Fire Department (KFD). The SFC and the KFD support H.B. 685, H.D. 1, which proposes to allow the SFC to hire personnel to accomplish its duties and responsibilities.

The SFC, comprised of the four county Fire Chiefs, was created in 1979 to replace the State Fire Marshal's Office, which was a fully-funded state agency. Under the present organization, the SFC primarily uses county fire department personnel to accomplish council duties, thus depriving county fire departments of the time and services of its members. These duties include amending and adopting the state fire code, pursuing and administering federal grants, and implementing and administering a statewide reduced ignition propensity cigarette program. The fees collected from cigarette manufacturers for a reduced ignition propensity cigarette program will be an eventual funding source amounting to approximately \$375,000 triennially.

The SFC's staff consists of only one part-time person funded by the State Department of Labor and Industrial Relations, to which the SFC is administratively attached. In addition, the SFC is a member of the State Building Code Council and participates in the state building code adoption process; coordinates statewide fire training and data collection; and corresponds with national organizations on statewide fire issues.

This bill would greatly increase the SFC's productivity and benefit communities and fire departments statewide.

The SFC and the KFD urge your committee's support on the passage of H.B. 685, H.D. 1.

Should you have any questions, please call HFD me at 241-4980.

Sincerely,

A handwritten signature in black ink that reads "Robert Westerman".

Robert F. Westerman  
Fire Chief

RFW/LR:cz

William P. Kenoi  
Mayor



Darryl J. Oliveira  
Fire Chief

Glen P. I. Honda  
Deputy Fire Chief

## County of Hawai'i

### FIRE DEPARTMENT

25 Aupuni Street • Suite 103 • Hilo, Hawai'i 96720  
(808) 981-8394 • Fax (808) 981-2037

February 25, 2009

TO : REPRESENTATIVE MARCUS R. OSHIRO, CHAIR  
COMMITTEE ON FINANCE

FROM : DARRYL OLIVEIRA, FIRE CHIEF  
HAWAII FIRE DEPARTMENT

SUBJECT : HB 685, HD 1 RELATING TO STATE FIRE COUNCIL  
DATE/TIME OF HEARING: FEBRUARY 27, 2009, 12:00 P.M.  
NUMBER OF COPIES REQUESTED: 2 COPIES

I am Darryl Oliveira, Fire Chief of the Hawaii Fire Department, and Vice Chair of the State Fire Council. Our department and State Fire Council support HB 685, HD 1, which creates administrative positions for the State Fire Council to enable it to meet its statutory responsibilities under Chapter 132, Hawaii Revised Statutes.

The SFC was created in 1979 to replace the State Fire Marshal's Office, which was a fully funded State agency. Under the present organization, the State Fire Council has had difficulty in amending the State fire code, pursuing and administering Federal grants, and coordinating statewide training, data collection, and other council duties because such work must be performed by county fire department personnel, thus depriving the county fire departments of the services of its members.

The bill would greatly increase the productivity of the State Fire Council and benefit all fire departments statewide.

The Hawaii Fire Department and State Fire Council request your committee's support on the passage of HB 685, HD 1.

  
DARRYL OLIVEIRA  
Fire Chief

DO:lk



**CHARMAINE TAVARES**  
MAYOR



**JEFFREY A. MURRAY**  
CHIEF

**ROBERT M. SHIMADA**  
DEPUTY CHIEF

**COUNTY OF MAUI**  
DEPARTMENT OF FIRE AND PUBLIC SAFETY

200 DAIRY ROAD  
KAHULUI, MAUI, HAWAII 96732  
(808) 270-7561  
FAX (808) 270-7919

February 26, 2009

The Honorable Marcus R. Oshiro, Chair  
Committee on Finance  
House of Representatives  
State Capitol, Room 434  
Honolulu, Hawaii 96813

Dear Chair Oshiro:

Subject: H.B. 685, H.D. 1 Relating to the State Fire Council

I am Jeffrey A. Murray, Member of the State Fire Council (SFC) and Fire Chief of the County of Maui, Department of Fire and Public Safety (DOFAPS). The SFC and the DOFAPS support H.B. 685, H.D. 1, which proposes to allow the SFC to hire personnel to accomplish its duties and responsibilities.

The SFC, comprised of the four county Fire Chiefs, was created in 1979 to replace the State Fire Marshal's Office, which was a fully-funded state agency. Under the present organization, the SFC primarily uses county fire department personnel to accomplish council duties, thus depriving county fire departments of the time and services of its members. These duties include amending and adopting the state fire code, pursuing and administering federal grants, and implementing and administering a statewide reduced ignition propensity cigarette program. The fees collected from cigarette manufacturers for a reduced ignition propensity cigarette program will be an eventual funding source amounting to approximately \$375,000 triennially.

The SFC's staff consists of only one part-time person funded by the State Department of Labor and Industrial Relations, to which the SFC is administratively attached. In addition, the SFC is a member of the State Building Code Council and participates in the state building code adoption process; coordinates statewide fire training and data collection; and corresponds with national organizations on statewide fire issues.

This bill would greatly increase the SFC's productivity and benefit communities and fire departments statewide.

The Honorable Marcus R. Oshiro, Chair  
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February 27, 2009

The SFC and the DOFAPS urge your committee's support on the passage of H.B. 685, H.D. 1.

Should you have any questions, please call Honolulu Fire Department's Legislative Liaison Lloyd Rogers at 723-7171.

Sincerely,



For JEFFREY A. MURRAY  
Fire Chief

JAM:rgkm