

**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

H.B. NO. 1843, H.D. 2, RELATING TO FIRE PROTECTION.

BEFORE THE:

SENATE COMMITTEES ON LABOR AND TECHNOLOGY AND ON PUBLIC SAFETY
AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

DATE: Friday, March 15, 2024 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 225 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Jack W. Relf, Deputy Attorney General

Chairs Aquino and Wakai and Members of the Committees:

The Department of the Attorney General provides the following comments on this bill.

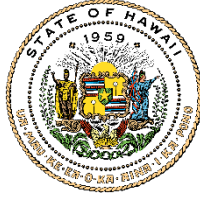
This bill establishes the Office of the State Fire Marshal and provides the mechanism for appointment of the State Fire Marshal for a period of ten years.

The proposed new section 132- (a) in section 2 of the bill provides that the State Fire Marshal shall be appointed by the Governor "without regard to chapters 76 and 89, to serve for a period of ten years." (Page 2, lines 19-20). If the intent is to exempt the position of the State Fire Marshal from chapter 76 for longer than three years, we recommend amending section 76-16(b), Hawaii Revised Statutes (HRS), to add the position of the State Fire Marshal as a position exempt from chapter 76. (See section 76-16(b)(17)(A), HRS).

Thank you for the opportunity to provide these comments.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

DEAN D. UYENO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committees on
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS
and
LABOR AND TECHNOLOGY

Friday, March 15, 2024
3:00 PM

State Capitol, Conference Room 225 and Via Videoconference

In consideration of
HOUSE BILL 1843 HOUSE DRAFT 2
RELATING TO FIRE PROTECTION

House Bill 1843 House Draft 2 proposes to establish the office of the state fire marshal to direct fire protection efforts statewide and appropriate funds. **The Department of Land and Natural Resources (Department) strongly supports this measure**, provided that its passage does not replace or adversely impact priorities indicated in the Executive FY2025 Supplemental Budget Request

Hawai'i is the only state that lacks a Fire Marshal office. The State Fire Marshal position was disbanded in 1979 and the State Fire Council was established in its place. While the State Fire Council acts as the de facto State Fire Marshal's office, the Office of the Fire Marshal should be reestablished to increase the oversight and coordination of the State and county fire services. Currently, the State Fire Council members can only meet on a quarterly basis due to the high demand of their leadership positions within their fire respective services. The bulk of the work at the State Fire Council is to establish the State's fire code. A full-time State Fire Marshal's office will be able to provide critical input and oversight to the State's fire code, standardize training requirements for county fire departments, provide fire investigations to determine fire origin and cause, as well as provide and coordinate public education and awareness on fire safety. Potentially the State Fire Marshal's office could house a statewide fire aviation division that could provide aerial fire suppression resources and medical transport across the state.

Mahalo for the opportunity to provide testimony in support of this measure.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHAHA

March 15, 2024

To: The Honorable Glenn Wakai, Chair,
The Honorable Henry J.C. Aquino, Chair,
The Honorable Brandon J.C. Elefante, Vice Chair
The Honorable Sharon Y. Moriwaki and
Members of the Senate Committees on Public Safety & Intergovernmental
& Military Affairs and Labor & Technology

Date: Friday, March 15, 2024
Time: 3:00 p.m.
Place: Conference Room 225, State Capitol

From: Jade T. Butay, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. 1843, H.D.2, RELATING TO FIRE PROTECTION

The DLIR **supports H.B. 1843, H.D. 2**, which re-establishes the Office of the State Fire Marshal within the DLIR and provides the Governor the ability to appoint the Fire Marshal. Currently, the State Fire Council is administratively attached to the department through a Memorandum of Agreement between the DLIR and the City and County of Honolulu. The DLIR is unaware as to why the State Fire Council is administratively attached to the department.

The DLIR respectfully requests comparative research and recommendations by a non-executive branch agency as to how the other states structure this function into their executive branches and the rationale for the state fire marshal's office placement. This research and recommendations would provide policy makers with the basis for the appropriate, permanent placement of this office and this function within the Executive Branch.

The DLIR defers to other agencies with subject matter expertise on the duties and responsibilities of the proposed Office of the State Fire Marshal contained in the measure.

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov

March 13, 2024

The Honorable Glenn Wakai, Chair
Committee on Public Safety & Intergovernmental & Military Affairs
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

The Honorable Henry Aquino, Chair
Committee on Labor & Technology
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Wakai and Aquino:

Subject: House Bill (HB) 1843, House Draft (HD) 2 Relating to Fire Protection

I am Kazuo Todd, Chair of the Hawaii State Fire Council (SFC). The SFC supports HB 1843, HD1, which establishes the office of the State Fire Marshal to direct fire protection efforts statewide.

The SFC was established by the Hawaii State (State) Legislature in 1979 to replace the State Fire Marshal's office. It is currently comprised of the four county Fire Chiefs, State of Hawaii, a representative from the Hawaii State Aircraft Fire Fighting Unit (ARFF), and a representative from the Division of Forestry and Wildlife, Department of Land and Natural Resources (DOFAW), and is administratively attached to the State Department of Labor and Industrial Relations (DLIR).

In accordance with Hawaii Revised Statutes §132, the SFC's primary functions are to adopt a state fire code, administer the requirements for reduced ignition propensity cigarettes, and serve as a focal point for federal grants. The SFC may advise and assist the county fire departments where appropriate; prescribe standard procedures and forms related to inspections, investigations, and reporting of fires; and advise the Governor and State Legislature on issues relating to fire prevention and protection and life safety. The SFC promotes the standardization of fire service reporting, training, sharing of technology, resources, and best management practices.

The SFC has an office staff of 2 part-time administrative specialists and an annual budget of \$106,000 with a ten percent restriction for fiscal year (FY) 2024. In comparison, California's Office of the State Fire Marshal operates with 218.6 full-time positions and an annual budget of \$61,000,000 (FY 2023).

The re-establishment of the State Fire Marshal will create a permanent, full-time position as a first step to address fire service issues that occur statewide. This can include statewide enforcement of the fire code, for both state buildings and wildland fire areas, particularly in light of the August 2023 Lahaina Fire.

The SFC recommends that language regarding the duties of the State Fire Marshal should be as follows:

"§132- State fire marshal; establishment; appointment; powers; duties; responsibilities. (a) There is established within the department of labor and industrial relations a state fire marshal who shall be appointed by the state fire council, without regard to chapter 76. The appointment shall not be subject to the advice and consent of the senate. In the event of a vacancy, the state fire council shall meet expeditiously to select and appoint a new state fire marshal to serve the remainder of the unexpired term.

(b) The state fire marshal shall have the same powers and authority as county fire chiefs under sections 132D-4, 132D-16.6, and 132D-16.7, and this chapter.

(c) The duties of the state fire marshal shall include but not be limited to:

(1) Annually review and assess fire risks statewide, consider the emergency resources available for fire response, and work to address gaps in coverage. This involves coordinating fire protection efforts, facilitating interagency MOU/MOAs, and potentially assisting in grants or other funding means to help local agencies enhance the overall fire safety and response capabilities within the state.

(2) Assist and/or lead in the investigation of fires upon request from county agencies to determine cause and origin, and maintain a comprehensive record of all fires within the State, including causes and circumstances.

(3) Assist in the training and certification of fire investigators and inspectors, ensuring they possess the requisite skills and knowledge. Support local agencies with training programs and resources necessary for conducting detailed investigations, enforcing fire codes, and promoting fire safety within their jurisdictions.

- (4) Coordinate with local agencies to enhance public education and awareness programs on fire safety, assessing the need for and potentially developing a comprehensive statewide public fire safety messaging program.
- (5) Collaborate with the State Fire Council on fire service matters within the State.
- (6) Propose amendments to the State Fire Code for consideration and adoption by the State Fire Council.
- (7) Conduct or arrange for inspections of state buildings and facilities for fire safety compliance.
- (8) Coordinate state-level fire protection training and support the establishment of training facilities and programs, including statewide standardization of certification and training levels for firefighters.
- (9) Perform additional duties as assigned or delegated by the State Fire Council.
- (10) Prepare an annual report summarizing assessments and reviews conducted under subsection (c) (1) through (9). This report shall be submitted to the Governor and the State Fire Council no later than November 30 of each calendar year.

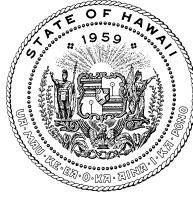
This bill will allow the SFC and State Fire Marshal to more properly serve as a comprehensive fire service emergency management network for the protection of life, property, and the environment for the State. The SFC urges the committee's approval of HB 1843, HD2.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,



KAZUO TODD
Chair



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

**Senate Committees on Public Safety and Intergovernmental and Military Affairs and
Labor and Technology**

Friday, March 15, 2024

3:00 p.m.

State Capitol, Conference Room 225 and Videoconference

In Support

House Bill No. 1843, HD2, Relating to Fire Protection

Chairs Wakai and Aquino, Vice Chairs Elefante and Moriwaki, and Members of the Senate Committees on Public Safety and Intergovernmental and Military Affairs and Labor and Technology:

The Office of the Governor supports H.B. No. 1843, HD2, Relating to Fire Protection. This bill would establish the office of the state fire marshal to direct fire protection efforts statewide.

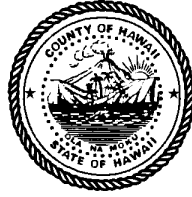
The Maui wildfire resulted in unbearable loss of lives, homes, infrastructure, and businesses. This tragic event is a wake-up call that due to climate changes, the risk of catastrophic wildfires, along with other natural disasters in Hawaii has increased.

The Office of the Governor appreciates the Legislature's efforts to continue to address fire prevention in our state. As the only state without a state fire marshal, re-establishing this position would help to support the efforts of the state fire council with a full-time state fire marshal office.

Thank you very much for the opportunity to provide testimony on this measure.

Mitchell D. Roth
Mayor

Deanna Sako
Managing Director



Kazuo S. K. L. Todd
Fire Chief

Eric H. Moller
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 13, 2024

SUBJECT: SUPPORT OF HB1843 HD2 FROM HAWAII FIRE DEPARTMENT

Aloha Honorable Members of the Legislature,

The establishment of a State Fire Marshal's office is a pivotal step forward in our ongoing battle against fire-related disasters. This initiative represents a comprehensive approach to fire safety, integrating prevention, education, and response mechanisms at a statewide level. As underscored by the devastating Lahaina wildfire and subsequent analysis by the House of Representatives' interim working groups, it is abundantly clear that a more coordinated, strategic approach to fire management is urgently needed.

The absence of a State Fire Marshal since 1979 has left a void in our statewide fire prevention and response strategy. The State Fire Council, though diligent in its efforts, operates within the constraints of voluntary participation and limited resources. The establishment of a dedicated State Fire Marshal, with the authority and resources to propose amendments to the fire code, assist in investigations, ensure compliance through inspections, and lead public education efforts, will significantly enhance our collective ability to manage and mitigate fire risks.

Moreover, the proposed structure, including the appointment of the State Fire Marshal by the Governor from nominees submitted by the State Fire Council, ensures a collaborative approach that leverages local expertise and insights. The delineation of duties and responsibilities, as outlined in the bill, provides a clear framework for addressing the multifaceted challenges of fire safety, from the investigation and inspection of fires to the critical functions of education, training, and certification of fire safety personnel.

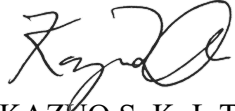
The allocation of funds for the establishment and operation of the State Fire Marshal's office is a prudent investment in the safety and well-being of our residents and visitors. The enhanced coordination, oversight, and leadership provided by the State Fire Marshal will empower our fire departments, improve our preparedness and response capabilities, and ultimately save lives and protect property.

In closing, I urge the legislature to pass this bill, recognizing it as a necessary and vital step in safeguarding our islands against the ever-present threat of fire. By establishing the Office of the State Fire Marshal, we commit to a future where our communities are safer, our response more coordinated, and our resilience against fire hazards significantly strengthened.



Mahalo for your attention to this critical issue and for considering my testimony in support of this legislation.

With warmest aloha,

A handwritten signature in black ink, appearing to read "Kazuo". The signature is fluid and cursive, with a large, stylized initial "K".

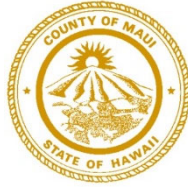
KAZUO S. K. L TODD
Fire Chief

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
www.mauicounty.gov

March 13, 2024

The Honorable Glenn Wakai, Chair
Committee on Public Safety & Intergovernmental & Military Affairs
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

The Honorable Henry Aquino, Chair
Committee on Labor & Technology
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Wakai and Aquino:

SUBJECT: HOUSE BILL (HB) 1843, HOUSE DRAFT (HD) 2 RELATING TO FIRE PROTECTION

I am Bradford K. Ventura, member of the State Fire Council (SFC) and Fire Chief of Maui Fire Department. The SFC supports HB 1843, HD1, which establishes the office of the State Fire Marshal to direct fire protection efforts statewide.

The SFC was established by the Hawaii State (State) Legislature in 1979 to replace the State Fire Marshal's office. It is currently comprised of the four county Fire Chiefs, State of Hawaii, a representative from the Hawaii State Aircraft Fire Fighting Unit (ARFF), and a representative from the Division of Forestry and Wildlife, Department of Land and Natural Resources (DOFAW), and is administratively attached to the State Department of Labor and Industrial Relations (DLIR).

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The SFC has an office staff of 2 part-time administrative specialists and an annual budget of \$106,000 with a ten percent restriction for fiscal year (FY) 2024. In comparison, California's

Office of the State Fire Marshal operates with 218.6 full-time positions and an annual budget of \$61,000,000 (FY 2023).

The re-establishment of the State Fire Marshal will create a permanent, full-time position as a first step to address fire service issues that occur statewide. This can include statewide enforcement of the fire code, for both state buildings and wildland fire areas, particularly in light of the August 2023 Lahaina Fire.

The SFC recommends that language regarding the duties of the State Fire Marshal should be as follows:

"§132- State fire marshal; establishment; appointment; powers; duties; responsibilities. (a) There is established within the department of labor and industrial relations a state fire marshal who shall be appointed by the state fire council, without regard to chapter 76. The appointment shall not be subject to the advice and consent of the senate. In the event of a vacancy, the state fire council shall meet expeditiously to select and appoint a new state fire marshal to serve the remainder of the unexpired term.

(b) The state fire marshal shall have the same powers and authority as county fire chiefs under sections 132D-4, 132D-16.6, and 132D-16.7, and this chapter.

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- (5) Collaborate with the State Fire Council on fire service matters within the State.
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- (9) Perform additional duties as assigned or delegated by the State Fire Council.
- (10) Prepare an annual report summarizing assessments and reviews conducted under subsection (c) (1) through (9). This report shall be submitted to the Governor and the State Fire Council no later than November 30 of each calendar year.

This bill will allow the SFC and State Fire Marshal to more properly serve as a comprehensive fire service emergency management network for the protection of life, property, and the environment for the State. The SFC urges the committee's approval of HB 1843, HD2.

If you have questions, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or glum@honolulu.gov.

Sincerely,



BRADFORD K. VENTURA
Fire Chief

**HONOLULU FIRE DEPARTMENT
KA 'OIHANA KINAI AHI O HONOLULU
CITY AND COUNTY OF HONOLULU**

636 SOUTH STREET • HONOLULU, HAWAII 96813
PHONE: (808) 723-7139 • FAX: (808) 723-7111 • WEBSITE: honolulu.gov

RICK BLANGIARDI
MAYOR
MEIA



SHELDON K. HAO
FIRE CHIEF
LUNA NUI KINAI AHI

JASON SAMALA
DEPUTY FIRE CHIEF
HOPE LUNA NUI KINAI AHI

March 13, 2024

The Honorable Glenn Wakai, Chair
Committee on Public Safety and Intergovernmental
and Military Affairs
The State Senate
State Capitol, Room 407
Honolulu, Hawaii 96813

The Honorable Henry Aquino, Chair
Committee on Labor and Technology
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Wakai and Aquino:

Subject: House Bill (HB) 1843, House Draft (HD) 2 Relating to Fire Protection

I am Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HF). The HFD supports HB 1843, HD 2, which establishes the office of the State Fire Marshal to direct fire protection efforts statewide.

The SFC was established by the Hawaii State (State) Legislature in 1979 to replace the State Fire Marshal's office. It is currently comprised of the four county Fire Chiefs, a representative each from the State Aircraft and Rescue Fire Fighting Unit and the Department of Land and Natural Resources' Division of Forestry and Wildlife, and is administratively attached to the State Department of Labor and Industrial Relations.

In accordance with Section 132 of the Hawaii Revised Statutes, the SFC's primary functions are to adopt a state fire code, administer the requirements for reduced ignition propensity cigarettes, and serve as a focal point for federal grants. The SFC may advise and assist the county fire departments where appropriate; prescribe standard procedures and forms related to inspections, investigations, and reporting of fires; and advise the Governor and State Legislature on issues relating to fire prevention and

The Honorable Glenn Wakai, Chair
The Honorable Henry Aquino, Chair
Page 2
March 13, 2024

protection and life safety. The SFC promotes the standardization of fire service reporting, training, sharing of technology, resources, and best management practices.

The SFC has a staff of two, part-time Administrative Specialists and an annual budget of \$106,000 with a ten percent restriction for fiscal year (FY) 2024. In comparison, California's Office of the State Fire Marshal operates with 218.6 full-time positions and an annual budget of \$61,000,000 (FY 2023).

The reestablishment of the State Fire Marshal will create a permanent, full-time position as a first step to address fire service issues that occur statewide. This can include statewide enforcement of the fire code, for state buildings and wildland fire areas, particularly in light of the August 2023 Lahaina fires.

The HFD recommends that language regarding the duties of the State Fire Marshal should be as follows:

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(5) Collaborate with the State Fire Council on fire service matters within the State.

(6) Propose amendments to the State Fire Code for consideration and adoption by the State Fire Council.

(7) Conduct or arrange for inspections of state buildings and facilities for fire safety compliance.

(8) Coordinate state-level fire protection training and support the establishment of training facilities and programs, including statewide standardization of certification and training levels for firefighters.

(9) Perform additional duties as assigned or delegated by the State Fire Council.

(10) Prepare an annual report summarizing assessments and reviews conducted under subsection (c)(1) through (9). This report shall be submitted to the Governor and the State Fire Council no later than November 30 of each calendar year.

This bill will allow the SFC and State Fire Marshal to more properly serve as a comprehensive fire service emergency management network for the protection of life, property, and the environment for the State.

The HFD urges your committees' approval of HB 1843, HD 2.

The Honorable Glenn Wakai, Chair
The Honorable Henry Aquino, Chair
Page 4
March 13, 2024

Should you have questions, please contact Administrative Specialist Gary Lum at 723-7169 or glum@honolulu.gov.

Sincerely,

SHELDON K. HAO
Fire Chief

SKH/GL:cn

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



Director of Council Services
David M. Raatz, Jr., Esq.


Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

March 14, 2024

TO: The Honorable Senator Glenn Wakai, Chair, and
Members of the Senate Committee on Public Safety and Intergovernmental
and Military Affairs

The Honorable Senator Henry J.C. Aquino, Chair, and
Members of the Senate Committee on Labor and Technology

FROM: Alice L. Lee
Council Chair 

SUBJECT: **HEARING OF MARCH 15, 2024; TESTIMONY IN SUPPORT OF HB1843,
HD2, RELATING TO FIRE PROTECTION**

Thank you for the opportunity to testify in **support** of this measure to establish the Office of the State Fire Marshal to direct statewide fire-protection efforts.

I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. This bipartisan proposal emerges following the August 8, 2023, Lahaina wildfires, as a common-sense means of providing dedicated support for statewide wildfire prevention and protection that already exists in every other state across the nation.
2. The measure is an acknowledgment that rising global temperatures increase the risk of drought conditions and decreased water with which to combat fires. The centralized coordination the Fire Marshal would provide is a health and safety priority.
3. Maui has experienced firsthand the devastating effects to life, property, safety, and security of the recent wildfires. Creating a Fire Marshal position is a reasonable and cost-effective step that can be taken to increase safeguards and protect the State's residents and visitors.

For the foregoing reasons, I **support** this measure.



TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII

SENATE COMMITTEES ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS AND LABOR AND TECHNOLOGY

MARCH 15, 2024

HB 1843, HD2, RELATING TO FIRE PROTECTION

POSITION: SUPPORT

The Democratic Party of Hawai'i **supports** HB 1843, HD2, relating to fire protection. Pursuant to the “Public Safety and Disaster and Emergency Preparedness” section of the Democratic Party of Hawai'i platform, the party supports “policy that protects the people of Hawai'i and their property against natural and man-made disasters,” and “believes that climate change is real, affirms human activity as its primary cause and main driver, and supports emergency preparedness and planning efforts to mitigate its impacts.”

Last year, we witnessed the impact of the climate emergency on our shores. On August 8, 2023, wildfires swept across Maui and killed at least 100 people, making it one of the nation's deadliest natural disasters. The spread of the fires has been attributed to climate change conditions, such as unusually dry landscapes and the confluence of a strong high-pressure system to the north and Hurricane Dora to the south.

The wildfires destroyed over 2,200 structures, including numerous residential buildings, historic landmarks, and school facilities. In September 2023, a report from the United States Department of Commerce estimated the total economic damage of the wildfires to be roughly \$5.5 billion.

According to a report issued by the University of Hawaii Economic Research Organization on September 22, 2023, the unemployment rate on Maui was expected to soar above 11 percent by the end of 2023 and remain above 4 percent through 2026. A total of 10,448 new claims for unemployment in Maui County were filed in the four weeks following the wildfires, about 9,900 more than the preceding four weeks. Displaced families and workers who lost their jobs are still attempting to recover from the disaster, with a full recovery expected to take many years to achieve.

Accordingly, we must do all we can to prevent tragedies like this from recurring on our shores, including by re-establishing the position of the state fire marshal to help mitigate future emergencies. The Hawai'i Emergency Management Agency released an updated State Hazard Mitigation Plan last November, in which the state's wildfire risk level soared 74 percent to 6.6 from its prior level of 3.8 in the 2018 draft of the report.

The updated hazard mitigation plan contains statistics on how many people by county are at risk from wildfire hazards. For Honolulu, 427,293 people could potentially be affected by wildfires, which was listed as the highest risk with a risk factor of 5.7. Maui County also has wildfires as its highest emergency risk with a score of 5.8 and 81,424 people at risk. On Kaua'i, wildfires carry a 5.6 risk level and threaten 27,604 people. Hawai'i Island has a wildfire risk score of 4.6 and 32,080 people at risk.

Wildfires are now designated as the top hazard in the state according to the updated HIEMA report. It is incumbent upon policymakers to respond with urgency to keep our communities safe.

Mahalo nui loa,

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MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

LATE

**HEARING BEFORE THE SENATE COMMITTEES ON LABOR AND TECHNOLOGY and
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 225
Friday, March 15, 2024, AT 3:00 P.M.**

To The Honorable Senator Henry J.C. Aquino, Chair
The Honorable Senator Sharon Y. Moriwaki, Vice Chair
Members of the committee on Labor and Technology
To The Honorable Senator Glenn Wakai, Chair
The Honorable Brandon J.C. Elefante, Vice Chair
Members of the Committee on Public Safety and Intergovernmental and Military Affairs

COMMENTS ON HB1843 HD2 RELATING TO FIRE PROTECTION

The Maui Chamber of Commerce would like to offer **COMMENTS on HB1843 HD2.**

The Maui Chamber of Commerce supports the intent of this bill and appreciates the many bills introduced this session addressing the August 8 wildfires. We note Hawaii is the only state without a state fire marshal. In 1979, the position of the state fire marshal was abolished and replaced with the state fire council. The state fire council is now composed of the fire chiefs of the four counties, the state aircraft rescue firefighting unit, and the state protections forester from the department of land and natural resources, division of forestry and wildlife. The state fire council's members serve as non-compensated volunteers as their time allows from their full-time employment. The state fire council has an office staff consisting of two part-time administrative specialists.

We note that a State Fire Marshal position is already included in SB2356, along with a corps of elite firefighters. Given that there are many bills looking to add new positions within the state, we feel it is important to see how these compare in an overall comprehensive wildfire preparedness plan and combine them, where possible.

The Chamber looks forward to continued discussions on this and other related bills to find the best possible solutions.

Mahalo for the opportunity to offer **COMMENTS ON HB1843 HD2.**

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.