



**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. 1886, H.D. 1, RELATING TO FIRE PROTECTION.

BEFORE THE:

SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND
MILITARY AFFAIRS

DATE: Monday, March 11, 2024

TIME: 3:00 p.m.

LOCATION: State Capitol, Room 225

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Adam S. Rosenberg, Deputy Attorney General

Chair Wakai and Members of the Committee:

The Department of the Attorney General provides the following comments.

This bill amends section 132C-9, Hawaii Revised Statutes (HRS), to expand the uses of the reduced ignition propensity cigarette program (RIPC) special fund to include defraying "the cost of statewide fire prevention, education, life safety, and preparedness programs, especially as those programs relate to youth, seniors, and persons with disabilities, including the hiring of administrative personnel." The RIPC special fund is administered and expended by the State Fire Council (SFC).

The SFC is established in section 132-16, HRS, and the functions listed for the SFC do not include the functions listed in the proposed section 132C-9(c), HRS. We recommend conforming the functions of the SFC that are prescribed in section 132-16, HRS, with the uses of the RIPC special funds proposed in amendments to section 132C-9, HRS.

One way to accomplish this would be to amend section 132-16(c)(2), HRS, similarly to House Bill No. 143, H.D. 1, at page 7, lines 1-16, of that draft, to read as follows:

- (2) Advise and assist the county and state fire departments where appropriate; [may] prescribe standard procedures and forms relating to inspections, investigations, and reporting of fires; [may] approve

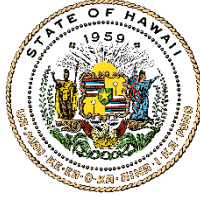
plans for cooperation among the county and state fire departments; ~~[and may]~~ advise the governor and the legislature with respect to fire prevention and protection, life safety, and any other functions or activities for which the various county fire departments are generally responsible; and implement statewide fire prevention, education, life safety, and preparedness programs, especially as those programs relate to youth, seniors, and persons with disabilities, including the hiring of administrative personnel, using funds from the reduced ignition propensity cigarette program special fund pursuant to section 132C-9(c); and

Additionally, the bill does not specify whether the funds allowed to be expended for the hiring of administrative personnel at page 6, lines 2-3, would apply to existing personnel described in section 132-18, HRS, or whether those funds are intended to apply to additional personnel. We recommend clarifying whether the additional personnel noted on page 6, lines 2-3, are new personnel or existing personnel under section 132-18, HRS. As for the additional personnel, we recommend clarifying whether those personnel will be employed without regard to chapters 76 and 89, HRS. If the intent is to exempt those personnel from chapter 76 for longer than three years, an exception should be added to section 76-16(b), HRS.

Thank you for the opportunity to testify.

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Monday, March 11, 2024
3:00 PM
State Capitol, Conference Room 225 & Videoconference

In consideration of
HOUSE BILL 1886 HOUSE DRAFT 1
RELATING TO FIRE PROTECTION

House Bill 1886 House Draft 1 proposes authorizing the use of the Reduced Ignition Propensity Cigarette Program Special Fund to support the State Fire Council (Council) and its programs and activities, including hiring administrative personnel. **The Department of Land and Natural Resources (Department) strongly supports this measure.**

The Department's Division of Forestry and Wildlife (DOFAW) is the primary responder for wildland fires across 1,368,002 acres or about 26% of the land area of the State including forest and natural area reserves, wildlife sanctuaries, and public hunting areas, and supports federal and county responders on urban interface lands. DOFAW is a member of the Council and supports increased funding to the Council through the Fund for the Council staff to meet the increased demands upon the Council. The funds would provide for statewide educational efforts to protect life, property, and the environment, such as the statewide firefighter safety guide program for Hawai'i's youth and the residential smoke alarm installation program for Hawai'i's at-risk senior population.

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