

JOSH GREEN, M.D.
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LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
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STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA
830 PUNCHBOWL STREET, ROOM 321
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March 30, 2023

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

Dear Chair Yamashita:

Subject: Senate Bill (SB) 786, Senate Draft (SD) 1, House Draft (HD) 2 Relating to Search and Rescue

I am Kazuo Todd, Chair of the State Fire Council (SFC). The SFC offers comments regarding SB 786, SD 1, HD2 which requires government entities to seek reimbursement for all or a portion of search or rescue expenses for persons who require rescue after leaving a hiking trail to enter an area closed to the public or hiking on a trail closed to the public, with a sign giving notice of the closure.

The SFC believes the search and rescue expense requirement described by SB 786, SD 1, HD2, may deter or delay prompt notification of first responder agencies by persons in the aforementioned situation. Such a delay in requesting for assistance may exacerbate the situation, further endangering the lives of persons involved and their potential rescuers.

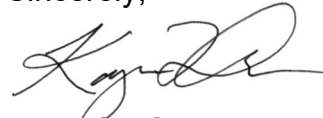
In addition, there is no existing mechanism enabling the counties and the SFC to seek reimbursement for these situations. Development and implementation of a reimbursement mechanism will require significant administrative effort by the four county fire departments to establish and maintain.

The Honorable Kyle Yamashita, Chair
Page 2
March 30, 2023

Public safety and property protection remain priorities of the SFC.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kazuo Todd", written in a cursive style.

KAZUO TODD
Chair

KT/GL

RICHARD T. BISSEN, JR.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

KEKUHAUPIO R. AKANA
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, HAWAI'I 96732
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March 31, 2023

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

Dear Chair Yamashita:

SUBJECT: SENATE BILL (SB) 786, SENATE DRAFT (SD) 1, HOUSE DRAFT (HD) 2 RELATING TO SEARCH AND RESCUE

I am Bradford Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of Maui Fire Department. The SFC offers comments regarding SB 786, SD 1, HD2 which requires government entities to seek reimbursement for all or a portion of search or rescue expenses for persons who require rescue after leaving a hiking trail to enter an area closed to the public or hiking on a trail closed to the public, with a sign giving notice of the closure.

The SFC believes the search and rescue expense requirement described by SB 786, SD 1, HD2, may deter or delay prompt notification of first responder agencies by persons in the aforementioned situation. Such a delay in requesting for assistance may exacerbate the situation, further endangering the lives of persons involved and their potential rescuers.

In addition, there is no existing mechanism enabling the counties and the SFC to seek reimbursement for these situations. Development and implementation of a reimbursement mechanism will require significant administrative effort by the four county fire departments to establish and maintain.

Public safety and property protection remain priorities of the SFC.

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

Sincerely,

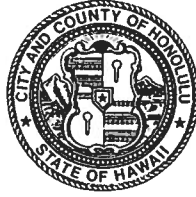
A handwritten signature in black ink that reads "Brad Ventura".

BRADFORD K. VENTURA
Fire Chief

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI
MAYOR



ARTHUR J. LOGAN
CHIEF

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS

OUR REFERENCE **SP-BKG**

March 31, 2023

The Honorable Kyle T. Yamashita, Chair
and Members
Committee on Finance
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 308
Honolulu, Hawaii 96813

Dear Chair Yamashita and Members:

SUBJECT: Senate Bill No. 786, S.D. 1, H.D. 2, Relating to Search and Rescue

I am Major Shellie Paiva of the Specialized Services Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 786, S.D. 1, H.D. 2, Relating to Search and Rescue. This bill requires government agencies to seek reimbursement for search or rescue expenses from certain persons if the need for the search or rescue was caused by the person's disregard of posted warnings and closure signage. The HPD opposes this bill as there is no existing mechanism to seek reimbursement for these situations.

In addition, it may deter or delay prompt notification of first responder agencies by persons who may need to be rescued. Such a delay in a request for assistance could make the situation worse and further endanger the lives of those persons as well as first responders. If the injury is not serious and someone knows they have broken the law and shall face monetary reimbursement, there is a chance they will not call for help and try to get out on their own, making the situation worse.

The Honorable Kyle T. Yamashita, Chair
and Members
March 31, 2023
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The same would apply for a hiker who is lost but does not call for help for fear of a mandatory reimbursement and ends up injured or in a perilous location, making the search and rescue more dangerous. Such calls for service could place an unnecessary risk to first responders.

The HPD urges you to oppose Senate Bill No. 786, S.D. 1, H.D. 2, Relating to Search and Rescue.

Thank you for the opportunity to testify.

Sincerely,

Shellie Paiva
Shellie Paiva, Major
Specialized Services Division

APPROVED:



#2 Arthur J. Logan
Chief of Police



HAWAII FIRE FIGHTERS ASSOCIATION

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1463, AFL-CIO
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HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023
March 31, 2023

Committee on Finance

Testimony by
Hawaii Fire Fighters Association

S.B. No. 786
S.D. 1, H.D. 2

RELATING TO SEARCH AND RESCUE

WAL, JHA, FIN

The Hawaii Fire Fighters Association (HFFA), Local 1463, IAFF, AFL-CIO, represents more than 2,000 professional active-duty fire fighters throughout the State. The HFFA, on behalf of all our members, **supports S.B. No. 786, S.D. 1, H.D. 2**, which requires government entities to seek reimbursement for search and rescue expenses for persons who require rescue after ignoring warning signs, leaving a hiking trail to enter a prohibited area, or hiking on a trail closed to the public.

Most recently, on March 6, 2023, the Honolulu Fire Department responded to an injured hiker on the Stairway to Heaven Trail in Kaneohe which has been off limits since 1987. Two engine companies, Rescue Company No. 2, Battalion Chief, and HFD Helicopter Air One were dispatched to this incident. Rescue 2 personnel and Air One made multiple trips to bring the injured hiker along with the other hikers to safety. Currently, the maximum penalty that these hikers could face is a \$1,000 fine and/or 30 days of imprisonment.

This is not a new issue and has been brought up for several years. The HFFA, the County Fire Departments, and the State Fire Council have previously been unified in opposition to similar proposals. HFFA's previous position was that we want people in trouble to call for help right away rather than delay calling for help for fear of getting charged and possibly getting themselves in more precarious situations, creating an even more dangerous rescue response. In this "post-covid" environment, our traditional position on this issue seems to be "old-school."

Like EMS, when someone has a serious medical emergency and knowing that they may be charged for requesting an ambulance, you do not think about money. You want help and right away. We would expect the same mindset from people when someone is having a hiking emergency and faced with unfamiliar or dangerous terrain, medical injuries and/or nightfall around the corner.

The HFFA believes ANY emergency incident and specifically, any rescue operation, regardless of how simple or complex, can have catastrophic consequences. The issue and goal are not to focus and debate on “simple vs. complex rescue” incidents but rather to **reduce** the overall number of rescues our members must perform. Whether it is a simple or complex operation, it is the responsibility of the fire departments’ leadership to ensure that our Bargaining Unit 11 members - their employees - operate within the realm of what they have been trained to do only and always put their own safety and the safety of their crew members first. The lack of accountability on those blatantly violating and disregarding the law is just increasing the bad behavior and leading to more rescue incidents in areas that are restricted from public use. The first step is to create a deterrent to try and reduce or eliminate these “unnecessary rescues.”

HFFA appreciates and welcomes the opportunity to work with the stakeholders to develop a plan to address this issue. Thank you for the opportunity to testify.

SB-786-HD-2

Submitted on: 3/29/2023 11:05:16 PM

Testimony for FIN on 3/31/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

This is part of there Job. Do you want Every other state to Think we have a Buch of Lazy Ass that have to get pay more money just to do there jobs!!!

SB-786-HD-2

Submitted on: 3/30/2023 8:35:24 PM

Testimony for FIN on 3/31/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Gordon	Individual	Support	Written Testimony Only

Comments:

If any individual or groups, regardless of residents or visitors, ignore warning signs, leave a hiking trail to enter a prohibited area, or hike on a trail closed to the public and a rescue is required, the government agency should be able to request reimbursement.

Irresponsible individuals or groups not only put themselves at risk, they also put at risk the emergency responders. In addition, resources and time have to be allocated for these types of rescues when they could better be allocated in other areas. Moreover, residents in the long term end up paying for these rescues caused by irresponsible individuals.

If the emergency responders have no current procedure of requesting reimbursement, it is suggested that there be a fine system, depending on how hazardous and how much time was allotted

Is there a way that the Legislature can add a provision for fining those for going off trails, being in an unauthorized area, etc ?

Perhaps having a range of fees depending on her how intense, hazardous and long the rescue was?