

JAN 19 2024

A BILL FOR AN ACT

RELATING TO STATEWIDE FIRE HELICOPTERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Hawaii's unique
2 status as an island state, positioned thousands of miles away
3 from the nearest continent, makes addressing wildfires
4 challenging. For example, while other states may request
5 assistance from out-of-state firefighting agencies under mutual
6 aid agreements, Hawaii's isolation makes it difficult to request
7 similar assistance. The fact that each major Hawaiian island
8 has its own unique geography, terrain, and resources further
9 compounds challenges that firefighters face. The legislature
10 further finds that, because the threat of wildfires has
11 increased in recent decades, the State must adapt its
12 firefighting approaches to meet this threat.

13 The legislature believes that the adoption of a unified,
14 state-driven approach to firefighting would enhance fire safety
15 throughout the State. In particular, the establishment of a
16 dedicated statewide firefighting helicopter program is
17 imperative for the State to fortify resilience against



1 wildfires, enhance emergency response capabilities, and
2 safeguard the well-being of residents and visitors. Although
3 the individual counties currently operate firefighting
4 helicopters, these resources are limited and are difficult to
5 quickly deploy outside of a county in times of an emergency. A
6 dedicated statewide helicopter will significantly reduce
7 response times, enabling rapid deployment to contain wildfires
8 in their early stages. In addition, helicopters can be
9 strategically placed to support county fire departments in times
10 of need. For example, helicopters may be proactively stationed
11 near areas under red flag warnings.

12 The importance of helicopters in wildfire response cannot
13 be understated. Hawaii's geography includes densely forested
14 regions, arid landscapes, steep cliffs, and remote valleys, all
15 of which present formidable challenges for ground-based
16 firefighting efforts. Rapid intervention and precision
17 firefighting are often hindered by difficulties in accessing
18 certain parts of the State. A helicopter's ability to reach
19 remote and inaccessible areas greatly increases firefighting
20 capabilities and increases the chance that a fire can be brought



1 under control early, before the fire spreads and destroys human
2 life, communities, ecosystems, and critical infrastructure.

3 Equipped with state-of-the-art technology, helicopters can
4 deliver targeted water drops, fire retardant, and other
5 firefighting agents with precision, maximizing the effectiveness
6 of suppression efforts. This capability is critical for
7 minimizing the impact of wildfires on the environment and
8 safeguarding natural resources. A helicopter's agility and
9 versatility empower firefighting crews to adapt quickly to
10 evolving fire dynamics, ensuring a more proactive and strategic
11 approach to containment. In particular, the legislature notes
12 the important role that Hawaii army national guard helicopters
13 had in responding to wildfires on the islands of Hawaii, Maui,
14 and Oahu in 2023.

15 The legislature further finds that, beyond firefighting,
16 helicopters are versatile platforms that can respond to many
17 emergencies besides wildfires. Helicopters purchased for
18 firefighting are also essential tools in human and cargo
19 transport, fire recognizance, search and rescue operations, and
20 law enforcement missions. Helicopters can also help areas
21 burned by wildfires recover by aiding in re-seeding, thereby



1 preventing erosion and runoff. In particular, the ability of
2 helicopters to access challenging terrains in remote areas make
3 them invaluable assets in locating and extracting individuals in
4 distress. Hawaii's reliance on tourism and outdoor recreational
5 activities on land and in the ocean underscores the importance
6 of having helicopters available to perform search and rescue
7 operations.

8 In summary, the legislature finds that the allocation of
9 funding to create a dedicated statewide firefighting helicopter
10 program is imperative to fortify Hawaii's resilience against the
11 growing threat of wildfires, enhance overall emergency response
12 capabilities, and safeguard the well-being of residents and
13 visitors.

14 Accordingly, the purpose of this Act is to:

- 15 (1) Establish a statewide firefighting helicopter program,
16 to be administered by the state fire marshal; and
17 (2) Appropriate moneys to:
18 (A) Obtain firefighting helicopters, facilities,
19 equipment, and supplies;
20 (B) Hire and train necessary staff; and



1 (C) Do other things necessary to ensure that the
 2 statewide firefighting helicopter program is
 3 ready to begin providing aerial firefighting
 4 services on July 1, 2025.

5 SECTION 2. Chapter 132, Hawaii Revised Statutes, is
 6 amended by adding a new section to be appropriately designated
 7 and to read as follows:

8 "§132- **Statewide firefighting helicopter program;**

9 **established.** (a) The state fire marshal shall establish a
 10 statewide firefighting helicopter program. For the purposes of
 11 this program, the state fire marshal shall:

12 (1) Purchase, acquire, lease, or contract for the
 13 provision of firefighting helicopters, facilities,
 14 equipment, and supplies;

15 (2) Retrofit, maintain, staff, operate, and support
 16 firefighting aircraft or contract for the provision of
 17 these services; and

18 (3) Enter into agreements with state and county fire
 19 departments and emergency management agencies to
 20 establish policies and procedures for the deployment
 21 of aerial firefighting assets.

- 1 (b) The state fire marshal may:
- 2 (1) Enter into agreements with federal, state, or county
- 3 agencies for the provision of the department's
- 4 firefighting helicopters when the department is not
- 5 utilizing the helicopters; and
- 6 (2) Establish reimbursement rates for the direct and
- 7 indirect costs of providing aerial firefighting
- 8 aircraft and firefighting services."

9 SECTION 3. In accordance with section 9 of article VII, of
10 the Constitution of the State of Hawaii and sections 37-91 and
11 37-93, Hawaii Revised Statutes, the legislature has determined
12 that the appropriation contained in this Act will cause the
13 state general fund expenditure ceiling for fiscal year 2024-2025
14 to be exceeded by \$, or per cent. The
15 reasons for exceeding the general fund expenditure ceiling are
16 that the appropriation made in this Act is necessary to serve
17 the public interest and to meet the needs provided for by this
18 Act.

19 SECTION 4. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so



1 much thereof as may be necessary for fiscal year 2024-2025 for
2 the state fire marshal to:

- 3 (1) Purchase, acquire, lease, or contract for the
4 provision of firefighting helicopters, facilities,
5 equipment, and supplies;
- 6 (2) Establish permanent, full-time equivalent
7 (FTE) positions to administer the statewide
8 firefighting program, including staff to operate and
9 maintain firefighting aircraft and equipment;
- 10 (3) Provide necessary staff training; and
- 11 (4) Do other things necessary to ensure that the statewide
12 firefighting helicopter program is ready to begin
13 providing aerial firefighting services on July 1,
14 2025.

15 The sum appropriated shall be expended by the state fire
16 marshal for the purposes of this Act.

17 SECTION 5. This Act shall take effect on July 1, 2024,
18 only if:

- 19 (1) Senate Bill No. , in any form passed by the
20 legislature during the regular session of 2024; or



1 (2) Any other bill establishing the position of statewide
2 fire marshal,
3 becomes an Act.

4

INTRODUCED BY: *James H. R. [Signature]*



S.B. NO. 2808

Report Title:

Statewide Firefighting Helicopter Program; Fire Marshal;
Appropriation; General Fund Expenditure Ceiling Exceeded

Description:

Establishes a statewide firefighting helicopter program, to be administered by the State Fire Marshal. Appropriates funds to obtain helicopters, facilities equipment, and supplies; hire and train staff; and do other things necessary to ensure that the program is ready to begin providing aerial firefighting services on July 1, 2025. Declares that the expenditure exceeds the state general fund expenditure ceiling for 2024-2025.

Establishes that this measure only takes effect if another bill is passed that establishes a State Fire Marshal position.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

