

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

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

**House Committee on Finance**

Monday, February 26, 2024

2:00 p.m.

State Capitol, Conference Room 308 and Videoconference

**In Support**

**House Bill No. 1843, HD1, Relating to Fire Protection**

Chair Yamashita, Vice Chair Kitagawa, and Members of the House Committee on Finance:

The Office of the Governor supports H.B. No. 1843, HD1, Relating to Fire Protection. This bill would establish the office of the state fire marshal to direct fire protection efforts statewide.

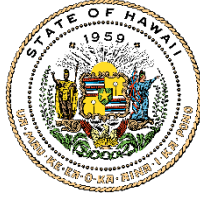
The Maui wildfire resulted in unbearable loss of lives, homes, infrastructure, and businesses. This tragic event is a wake-up call that due to climate changes, the risk of catastrophic wildfires, along with other natural disasters in Hawaii has increased.

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.

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 House Committee on  
FINANCE

Monday, February 26, 2024  
2:00 PM

State Capitol, Conference Room 308 and Via Videoconference

In consideration of  
HOUSE BILL 1843 HOUSE DRAFT 1  
RELATING TO FIRE PROTECTION

House Bill 1843 House Draft 1 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.**

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 LIMAHANA  
830 PUNCHBOWL STREET, ROOM 321  
HONOLULU, HAWAII 96813  
[www.labor.hawaii.gov](http://www.labor.hawaii.gov)

February 23, 2024

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

Dear Chair Yamashita:

Subject: House Bill (HB) 1843, House Draft (HD) 1 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.

The Honorable Kyle Yamashita, Chair

Page 3

February 23, 2024

- (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, HD1.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 723-7169 or [glum@honolulu.gov](mailto:glum@honolulu.gov).

Sincerely,



KAZUO TODD  
Chair

KT/GL

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

February 26, 2024

To: The Honorable Kyle T. Yamashita, Chair,  
The Honorable Lisa Kitagawa, Vice Chair and  
Members of the House Committee on Finance

Date: Monday, February 26, 2024  
Time: 2:00 p.m.  
Place: Conference Room 308, State Capitol

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

**Re: H.B. 1843 HD1 RELATING TO FIRE PROTECTION**

Chair Yamashita, Vice Chair Kitagawa and Members of the House Committee on Finance:

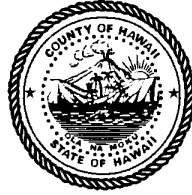
The DLIR **supports HB1843 HD1**, which re-establishes the Office of the State Fire Marshal within the Department of Labor and Industrial Relations and provides the Governor the ability to appoint the Fire Marshal. Currently, the State Fire Council is administratively attached to the department through a Memorandum of Agreement (MOA) 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.

**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

February 25, 2024

**SUBJECT: SUPPORT OF HB1843 FROM HAWAII FIRE DEPARTMENT**

Aloha Legislators,

On behalf of the Hawaii Fire Department (HFD), I extend our warmest greetings and appreciation for your commitment to enhancing the safety and well-being of our communities across the State of Hawaii. As the Fire Chief of HFD, I am writing to express our strong support for House Bill No. 1843, which seeks to establish the office of the state fire marshal to direct fire protection efforts statewide.

The devastating impact of wildfires, most notably the tragic Lahaina wildfire, underscores the critical need for comprehensive and coordinated fire safety and prevention measures across our islands. The absence of a state fire marshal since 1979 has left a noticeable void in our collective ability to address the increasing risk of fires, exacerbated by rising global temperatures and changing weather patterns. The establishment of the office of the state fire marshal, as proposed in H.B. NO. 1843, represents a significant step forward in our ongoing efforts to mitigate these risks and enhance the safety and resilience of our communities.

The Hawaii Fire Department, with over 500 dedicated employees serving across 20 career fire stations, 18 volunteer fire stations, and numerous other facilities, is deeply committed to the safety and well-being of our island residents and visitors. The creation of the state fire marshal's office aligns with our mission to provide effective fire, EMS, rescue, hazardous materials, and ocean safety response. It also complements our efforts in fire prevention, public education, and community engagement.

We are particularly supportive of the bill's provisions that outline the duties and responsibilities of the state fire marshal, including proposing amendments to the state fire code, assisting in fire investigations, conducting safety inspections, coordinating fire safety efforts, and overseeing training and certification for fire inspectors and investigators. These activities are vital to building a cohesive and comprehensive statewide fire safety and prevention strategy.

Moreover, the collaborative approach between the state fire marshal and county fire departments, as well as other agencies, will significantly enhance our ability to deploy resources efficiently, share best practices, and improve the overall effectiveness of our fire protection efforts.

We also appreciate the bill's provision for the state fire council to submit a report of findings and recommendations, which will further inform and refine our collective



approach to fire safety and prevention. The allocation of funds for the establishment and operation of the state fire marshal's office is a necessary investment in the safety and security of our state.

In closing, the Hawaii Fire Department stands ready to support and collaborate with the office of the state fire marshal, once established, to enhance fire safety and protection across our beautiful state. We commend the legislature for its foresight and dedication to this critical issue and respectfully urge your support for H.B. NO. 1843.

Mahalo for your consideration of our support for this important legislation. Together, we can make Hawaii a safer place for all.

With warmest aloha,

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

KAZUO S. K. L TODD  
Fire Chief

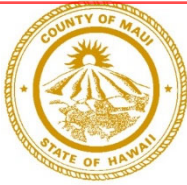


**RICHARD T. BISSEN, JR.**  
Mayor

**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.maui-county.gov](http://www.maui-county.gov)

February 26, 2024

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

Dear Chair Yamashita,

**SUBJECT: HOUSE BILL (HB) 1843, HOUSE DRAFT (HD) 1 RELATING TO FIRE PROTECTION**

I am Bradford K. Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department. The SFC supports HB 1843, HD 1, 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 recommends that language regarding the duties of the State Fire Marshal should be as follows:

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(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.

The Honorable Kyle Yamashita, Chair

Page 3

February 26, 2024

(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, HD 1.

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

Sincerely,



BRADFORD K. VENTURA  
Fire Chief



## TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII

### HOUSE COMMITTEE ON FINANCE

FEBRUARY 26, 2024

HB 1843, HD1, RELATING TO FIRE PROTECTION

POSITION: SUPPORT

The Democratic Party of Hawaii **supports** HB 1843, HD1, relating to fire protection. Pursuant to the “Public Safety and Disaster and Emergency Preparedness” section of the Democratic Party of Hawaii platform, the party supports “policy that protects the people of Hawaii 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,

**Kris Coffield**  
*Co-Chair, Legislative Committee*  
(808) 679-7454  
kriscoffield@gmail.com

**Abby Simmons**  
*Co-Chair, Legislative Committee*  
(808) 352-6818  
abbyalana808@gmail.com

Testimony by Dr. Clay Trauernicht IN SUPPORT of HB 1843, Relating to Fire Protection  
For the hearing on February 26th, 2024; Conference Room 308

To Representatives Kyle Yamashita and Lisa Kitagawa, Chair and Vice Chair, respectively, of  
the Committee on Finance and to the Committee Members,

I am submitting testimony in support of HB 1843 which would re-establish the office of the State Fire Marshal. I have been working at the University of Hawai'i at Mānoa in the field of wildfire science and management since 2013 and specifically on ecosystem conservation and watershed protection since 2021. However, I am submitting this testimony as an individual and not as an official University of Hawai'i spokesperson.

The conditions that create wildfire risk have radically changed in the Hawaiian Islands since the State Fire Marshall position last existed in the 1970s. Much of my professional work over the past decade has been committed communicating just how much more dangerous and extensive wildfires have become beginning in the 1980s and 1990s as more and more agricultural lands have been abandoned. Given this new 'fire environment,' having a State Fire Marshal would contribute critical support and take on responsibilities that county agencies cannot coordinate at the state level and that extend beyond the capacity and jurisdiction of the Department of Land and Natural Resources. Further, the bill's proposed tasks, including educational outreach, post-fire assessments, and compiling and organizing statewide fire records have fell to my own extension program and the Hawaii Wildfire Management Organization which have been funded almost entirely through federal grants. The value and need to continue this kind of work - and designating these tasks to a state-supported office - would be foundational for all aspects of effective fire risk reduction, from fuels reduction to preventing ignitions to improving emergency response.

Sincerely,



Clay Trauernicht, PhD  
Extension Specialist in Ecosystems and Fire  
University of Hawai'i at Mānoa