



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

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2085, S.D. 1, RELATING TO THE STATE FIRE MARSHAL.

**BEFORE THE:**

SENATE COMMITTEE ON WAYS AND MEANS

**DATE:** Thursday, February 22, 2024      **TIME:** 10:05 a.m.

**LOCATION:** State Capitol, Room 211 and Videoconference

**TESTIFIER(S):**      **WRITTEN TESTIMONY ONLY.**  
(For more information, contact Brenton A. Inouye,  
Deputy Attorney General, at (808) 587-2978)

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Chair Dela Cruz and Members of the Committee:

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

The purposes of this bill are to: (1) establish a division of the State Fire Marshal within the Department of Law Enforcement; (2) enumerate the powers and duties of the State Fire Marshal; and (3) appropriate money for the State Fire Marshal position, one permanent support position, and operating and administrative costs to support the State Fire Marshal.

The prefatory wording of section 2 of the bill proposes to amend chapter 132, Hawaii Revised Statutes (HRS), on page 2, line 3, although the section number on page 2, line 6, suggests that a new section is meant to be added to chapter 353C, HRS. Because chapter 353C covers the Department of Law Enforcement, it appears to be the appropriate chapter to add this new section. We suggest replacing "[c]hapter 132" with "[c]hapter 353C" on page 2, line 3.

In section 2, at page 2, lines 10-19, the bill provides that the Director of Law Enforcement will appoint the State Fire Marshal and establish the terms of employment. However, in section 3, at page 4, lines 19-21, the bill provides that the State Fire Council shall appoint and establish the terms of employment for the State Fire Marshal.

We suggest amending the bill to clarify which entity appoints and establishes the terms of employment for the State Fire Marshal.

The bill in section 2, on page 2, line 20, through page 3, line 1, provides that the State Fire Marshal "shall have the same powers and authority as the county fire chiefs under sections 132D-4, 132D-16.6, 132D-16.7, and this chapter." As used in the current draft of the bill, "this chapter" appears to mean chapter 353C, HRS, which does not give any power or authority to the county fire chiefs. As used in the previous draft of the bill, "this chapter" meant chapter 132, HRS. If the bill is intended to confer similar powers on the State Fire Marshal as in the previous draft, the bill should be amended to replace "this chapter" on page 3, line 1, with "chapter 132."

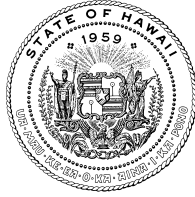
Giving the State Fire Marshal the same powers and authority as the county fire chiefs without further clarification could cause confusion and conflict in the application of the laws.

- Section 132-6(e), HRS, vests in the county fire chiefs the power and jurisdiction over every building and premises in the county as may be necessary to enforce any law, ordinances, rule, and order relating to protection from fire loss. This bill does not give the State Fire Marshal this power and it is not clear whether the State Fire Marshal has this power and jurisdiction in all the counties.
- Section 132D-16.6, HRS, authorizes county fire chiefs to conduct inspections of fireworks display sites for compliance with the applicable county code and provides that an inspection fee shall be assessed by the county in which the display will occur and shall be used to defray the cost of the official conducting the investigation. If the State Fire Marshal exercises this authority, the fee assessed would go to the county and would not defray the State Fire Marshal's inspection costs.
- Section 132D-16.7, HRS, authorizes a county fire chief to revoke or suspend a permit issued within the fire chief's county. It is not clear whether the State Fire Marshal has this authority in all the counties.

We recommend amending the bill to clarify the above points. Further, if the bill is amended to give the State Fire Marshal the same power and authority as the county fire chiefs under chapter 132, HRS, we recommend amending the bill to: (1) clarify whether authority is provided to the State Fire Marshal statewide in all counties similar to how chapters 132 and 132D provide authority to the county fire chiefs in their respective counties; and (2) clarify whether the State funds the activities of the State Fire Marshal and assesses fees similar to how a county is to fund the activities of a county fire chief or assess fees.

Finally, the bill provides that the State Fire Marshal is to be appointed without regard to chapter 76, HRS. If the intent is to exempt the position from chapter 76 for longer than three years, section 76-16(b) would need to be amended. (See section 76-16(b)(17)(A), HRS).

Thank you for the opportunity to provide these comments.



EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

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

**Senate Committee on Ways and Means**

Thursday, February 22, 2024

10:05 a.m.

State Capitol, Conference Room 211 and Videoconference

**Supports the Intent**

**Senate Bill No. 2085, SD1, Relating to the State Fire Marshal**

Chair Dela Cruz, Vice Chair Moriwaki, and Members on the Senate Committee on Ways and Means:

The Office of the Governor supports the intent of S.B. No. 2085, SD1, Relating to the State Fire Marshal, which re-establishes the position of the State Fire Marshal within the Department of Law Enforcement.

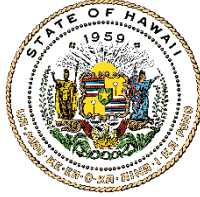
The Maui wildfire resulted in unbearable loss of lives, homes, infrastructure, and businesses. This tragic event is a wake-up call that due to climate changes, the risk of catastrophic wildfires, along with other natural disasters in Hawaii has increased.

While we support the intent of this bill to re-establish a State Fire Marshal, the Office of the Governor would respectfully ask that the Committee considers amending this bill to allow the Governor to be the authority to appoint the State Fire Marshal, similar to the provision in House Bill No. 1843, HD1.

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 Senate Committee on  
WAYS AND MEANS**

**Thursday, February 22, 2024  
10:05 AM**

**State Capitol, Conference Room 211 and Via Videoconference**

**In consideration of  
SENATE BILL 2085 SENATE DRAFT 1  
RELATING TO THE STATE FIRE MARSHAL**

Senate Bill 2085 Senate Draft 1 proposes to re-establish the position of the State Fire Marshal. **The Department of Land and Natural Resources (Department) acknowledges the intent of this measure and provides the following comments.**

The Department suggests using the language from House Bill 1843, which is attached, in lieu of the proposed language in this bill. House Bill 1843 expands the duties of the State Fire Marshal along the lines of what the State Fire Council expects of the position.

Mahalo for the opportunity to comment on this measure.

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# A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

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

1           SECTION 1. The legislature finds that in the aftermath of  
2 the Lahaina wildfire, six house of representatives interim  
3 working groups were established and charged with evaluating  
4 specific topics related to the wildfire and making  
5 recommendations for appropriate legislative action in the  
6 regular session of 2024. The wildfire prevention working group  
7 was tasked to identify the causes of wildfires and preventative  
8 action that may be taken to reduce the risk of wildfires  
9 throughout the State.

10           The legislature further finds that Hawaii is the only state  
11 without a state fire marshal. In 1979, the position of the  
12 state fire marshal was abolished and replaced with the state  
13 fire council. The state fire council is now composed of the  
14 fire chiefs of the four counties, the state aircraft rescue fire  
15 fighting unit, and the state protections forester from the  
16 department of land and natural resources, division of forestry  
17 and wildlife. The state fire council's members serve as non-



1 compensated volunteers as their time allows from their full-time  
2 employment. The state fire council has an office staff  
3 consisting of two part-time administrative specialists. The  
4 legislature further finds that rising global temperatures have  
5 increased the risk of fires and dangerous weather conditions in  
6 the State and as these risks increase, the State will be better  
7 served by having a dedicated state fire marshal.

8 The purpose of this Act is to enact a recommendation of the  
9 wildfire prevention working group that establishes the office of  
10 the state fire marshal to direct statewide efforts in preventing  
11 and responding to fires throughout the State.

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

15 **"§132- Office of the state fire marshal; established.**

16 (a) There is established the office of the state fire marshal  
17 within the department of labor and industrial relations. The  
18 office shall be headed by a state fire marshal, who shall be  
19 appointed by the governor without regard to chapters 76 and 89,  
20 to serve for a period of ten years. The state fire council  
21 shall submit a list of three nominees to the governor from which



1 the governor shall appoint the state fire marshal. The state  
2 fire marshal may hire staff as necessary.

3 (b) The state fire marshal shall have the qualifications,  
4 experience, and expertise in fire safety, prevention, and  
5 control necessary to successfully perform the duties of the  
6 position.

7 (c) The state fire marshal shall:

8 (1) Propose amendments to the state fire code for review  
9 and adoption by the state fire council;

10 (2) Assist in the investigation of fires when requested by  
11 a county;

12 (3) Conduct inspections of state buildings and facilities  
13 to ensure fire safety compliance;

14 (4) Coordinate with county fire departments and other  
15 agencies in promoting fire safety and the efficient  
16 deployment of fire operations in the State;

17 (5) Provide and coordinate public education and awareness  
18 on fire safety;

19 (6) Oversee the training and certification of fire  
20 inspectors and investigators in the State;





1       (7) Maintain records of all fires in the State, including  
2       the causes and circumstances;

3       (8) Administer state-level fire protection training and  
4       aid in the establishment of training facilities and  
5       programs, including statewide standardization of  
6       certification and training levels for firefighters;

7       (9) Assist in the disbursement of federal grants for fire  
8       protection purposes to the counties; and

9       (10) Perform other duties as necessary or delegated by the  
10       state fire council.

11       (d) In carrying out the state fire marshal's duties  
12 pursuant to this section, the state fire marshal may utilize the  
13 services of the state fire council advisory committee and  
14 administrative staff."

15       SECTION 3. The state fire council shall submit a report of  
16 its findings and recommendations, including any proposed  
17 legislation, to the legislature by November 1, 2024. The report  
18 shall include the following, at minimum:

19       (1) An organizational plan, including structure and  
20       personnel plan, for the office of the state fire  
21       marshal;

1 (2) A description of the roles and division of  
 2 responsibilities between the State and the counties,  
 3 and the office of the state fire marshal and the state  
 4 fire council, regarding fire prevention and response;  
 5 and

6 (3) Proposed operating budget for the office of the state  
 7 fire marshal.

8 SECTION 4. There is appropriated out of the general  
 9 revenues of the State of Hawaii the sum of \$ or so  
 10 much thereof as may be necessary for fiscal year 2024-2025 for  
 11 the establishment and operation of the office of the state fire  
 12 marshal, including the establishment of one full-time equivalent  
 13 (1.0 FTE) administrative staff position.

14 The sum appropriated shall be expended by the department of  
 15 labor and industrial relations for the purposes of this Act.

16 SECTION 5. In accordance with section 9 of article VII of  
 17 the Hawaii State Constitution and sections 37-91 and 37-93,  
 18 Hawaii Revised Statutes, the legislature has determined that the  
 19 appropriations contained in H.B. No. , will cause the state  
 20 general fund expenditure ceiling for fiscal year 2024-2025 to be  
 21 exceeded by \$ or per cent. In addition, the



1 appropriation contained in this Act will cause the general fund  
 2 expenditure ceiling for fiscal year 2024-2025 to be further  
 3 exceeded by \$                    or                    per cent. The combined total  
 4 amount of general fund appropriations contained in only these  
 5 two Acts will cause the state general fund expenditure ceiling  
 6 for fiscal year 2024-2025 to be exceeded by  
 7 \$                    or                    per cent. The reasons for exceeding the  
 8 general fund expenditure ceiling are that:

- 9            (1) The appropriation made in this Act is necessary to
- 10                                    serve the public interest; and
- 11            (2) The appropriation made in this Act meets the needs
- 12                                    addressed by this Act.

13            SECTION 6. New statutory material is underscored.

14            SECTION 7. This Act shall take effect on July 1, 3000.



**Report Title:**

Fire Protection; Office of the State Fire Marshal; State Fire Council; Appropriation; Expenditure Ceiling

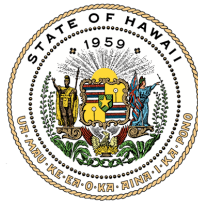
**Description:**

Establishes the office of the state fire marshal to direct fire protection efforts statewide. Appropriates funds. Effective 7/1/3000. (HD1)

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



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



JORDAN LOWE  
DIRECTOR

MICHAEL VINCENT  
Deputy Director  
Administration

JARED K. REDULLA  
Deputy Director  
Law Enforcement

SYLVIA LUKE  
LT GOVERNOR  
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII  
**DEPARTMENT OF LAW ENFORCEMENT**

*Ka 'Oihana Ho'okō Kānāwai*

715 South King Street  
Honolulu, Hawaii 96813

TESTIMONY ON SENATE BILL 2085, SENATE DRAFT 1

RELATING TO THE STATE FIRE MARSHAL

Before the Senate Committee on Ways and Means

Thursday, February 22, 2024; 10:05 a.m.

State Capitol Conference Room 211, Via Videoconference

**WRITTEN TESTIMONY ONLY**

Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee:

The Department of Law Enforcement (DLE) **supports** Senate Bill 2085, Senate Draft 1, which proposes to re-establish the position of the State Fire Marshal within the DLE.

There are two conceptual models for a State Fire Marshal. The first is the traditional Hawaii model of code inspection, plans review, permitting, investigation, prevention, and safety education. The other model encompasses the traditional duties practiced in Hawaii, but also includes a vigorous criminal enforcement program for the investigation of fires and arson. As proposed here, SB 2085, SD1 would reinvent the State Fire Marshal's Office in Hawaii as a viable, fully functioning, all-encompassing State Fire Marshal's Office with a full range of traditional regulatory and safety duties, as well as new criminal enforcement responsibilities. This new re-invention is a model often used across the nation where fire investigations and inspections are accomplished by law enforcement officers with a background of firefighting, inspection, or investigation experience. Examples of states that have State Fire Marshal's Offices with criminal enforcement responsibilities include California, Nevada, Texas, and Louisiana. The DLE believes that fire and arson investigations, and making arrests pertaining to arson would be a smart re-invention for the future of fire and arson investigations in Hawai'i.

The DLE supports the State Fire Marshal in carrying out law enforcement duties proposed in Section 2 and positioning the State Fire Marshal within the DLE so that the DLE can support the State Fire Marshal with its law enforcement training, law enforcement policies and procedures, law enforcement infrastructure, access to law enforcement records and databases, and emergency communications.

In addition to arson and fire investigations, a common duty of arson and fire investigators is also the investigation of explosives and fireworks. Currently, the DLE manages the State's Illegal Fireworks Task Force. Since the investigation of explosives and fireworks are also duties well-associated with fire investigative agencies like the proposed State Fire Marshal, the DLE agrees that the State Fire Marshal would be an appropriate agency to take on a permanent, full-time focus on the illegal fireworks problem in Hawaii.

The DLE also supports the empowerment of the State Fire Marshal and the Marshal's employees with full powers and authority of a police officer or deputy sheriff, including the powers of arrest and the authorities to execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses issued under the authority of the State, as well as the authority to carry firearms. Those authorities are necessary because the proposed investigation of fires and arson, and the arrest of those responsible, can be dangerous. Moreover, the authority to execute warrants and other documents is needed to efficiently conduct investigations.

Thank you for the opportunity to testify in support of this bill.

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 22, 2023

To: The Honorable, Donovan M. Dela Cruz, Chair,  
The Honorable Sharon Y. Moriwaki, Vice Chair, and  
Members of the Senate Committee on Labor & Technology

Date: Thursday, February 22, 2024  
Time: 10:05 a.m.  
Place: Conference Room 211, State Capitol

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

**Re: S.B. 2085, S.D. 1, RELATING TO THE STATE FIRE MARSHAL**

Chair Dela Cruz, Vice Chair Moriwaki and Members of the Senate Committee on Ways and Means:

The DLIR **supports the intent** to re-establish a State Fire Marshal and respectfully requests that the Legislature consider S.B.3098, which would also re-establish the State Fire Marshal's Office but allow the Governor to nominate the State Fire Marshal along with resources and responsibilities to carry out the State Fire Marshal's Office. S.B.3098 would allow the State Fire Marshal to review and assess the fire risk to the State and review the emergency resources that are available in the State to be deployed to address fires.

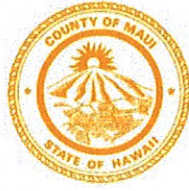
Currently, the State Fire Council is administratively attached to the department through a Memorandum of Agreement between the DLIR and the City and County of Honolulu. The DLIR is unaware as to why the State Fire Council is administratively attached to the department. The DLIR supports attaching the State Fire Marshall's Office as recommended by the Department of Law Enforcement but suggests further research and recommendations be derived for the appropriate, permanent placement of the State Fire Marshall's Office and the State Fire Council and its functions within the Executive Branch.

**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](http://www.mauicounty.gov)

February 21, 2024

The Honorable Donovan Dela Cruz, Chair  
Committee on Ways and Means  
The State Senate  
State Capitol, Room 208  
Honolulu, Hawaii 96813

**LATE**

Dear Chair Dela Cruz:

**SUBJECT: SENATE BILL (SB) 2085, SENATE DRAFT (SD) 1 RELATING TO THE STATE FIRE MARSHAL**

I am Bradford K. Ventura, member of the Hawaii State Fire Council (SFC) and Fire Chief of Maui Fire Department. The SFC supports and recommends amendments to SB 2085, SD1, which re-establishes the position of the State Fire Marshal.

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 is limited in the actions it can take because it has a relatively small budget and is staffed with only a few part-time employees. The re-establishment of the State Fire Marshal will create a permanent, full-time position 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, in light of the August 2023 Lahaina fires.

The SFC recommends that the State Fire Marshal be established under the Department of Labor and Industrial Relations and 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 SB 2085, SD1 with proposed deletions and amendments.

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,

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

BRADFORD K. VENTURA  
Fire Chief



## TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII'I

### SENATE COMMITTEE ON WAYS AND MEANS

FEBRUARY 22, 2024

**SB 2085, SD1, RELATING TO THE STATE FIRE MARSHAL**

**POSITION: SUPPORT**

The Democratic Party of Hawai'i **supports** SB 2085, SD1, relating to the state fire marshal. 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,

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

**Abby Simmons**  
*Co-Chair, Legislative Committee*  
(808) 352-6818  
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# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE SENATE COMMITTEE ON  
WAYS AND MEANS  
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 225  
Thursday, February 22, 2024, 10:05 A.M.**

To The Honorable Senator Donovan M. Dela Cruz, Chair  
The Honorable Senator Sharon Y. Moriwaki, Vice Chair  
Members of the committee on Ways and Means

## **COMMENTS ON SB2085 SD1 RELATING TO THE STATE FIRE MARSHAL**

The Maui Chamber of Commerce **COMMENTS ON SB2085 SD1.**

The Chamber notes that during the wildfires of August 8, 2023, the resources of the Maui Fire Department (MFD) and the companies that assist the MFD were severely taxed. On the morning of August 9, we reached out to Lieutenant Governor Luke to ask that additional firefighters be brought in and for military assistance as it was too windy for the helicopters to fly and we needed additional manpower to help put out the multiple wildfires and prevent them from spreading. The County of Maui relies on companies outside of the county government to assist in wildfires. These companies have the appropriate equipment and personnel to operate them, that the MFD lacks. This equipment includes helicopters used to drop water/retardant on the fires. We also note that fighting wildfires in mountainous or inaccessible terrain is beyond the normal capabilities of county fire departments.

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 SB2085 SD1.**

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.

**SB-2085-SD-1**

Submitted on: 2/21/2024 12:27:58 AM

Testimony for WAM on 2/22/2024 10:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Greg Misakian	Individual	Support	Written Testimony Only

Comments:

I support SB2085 SD1.

It's hard to believe that the State of Hawaii currently has no State Fire Marshal, but when I look at how many things are not handled properly within State Government, it's just another on a long list.

Please pass SB2085, and please ensure that the person who is appointed as the Fire Marshal is qualified, and not friend's & family.

Mahalo,

Gregory Misakian

Kokua Council, 2nd Vice President

Waikiki Neighborhood Board, Sub-District 2 Vice Chair