



EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

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

**Senate Committee on Public Safety and Military Affairs**  
**Senate Committee on Labor and Technology**

Monday, February 3, 2025  
3:00 p.m.

State Capitol, Conference Room 224 and Videoconference

**In Support**  
**S.B. 1383 Relating to Fire Protection**

Chair Elefante, Chair Aquino, Vice Chair Wakai, Vice Chair Lee and members of the Senate Committees on Public Safety and Military Affairs and Labor and Technology

The Office of the Governor strongly supports S.B.1383, Relating to Fire Protection. This bill amends the laws concerning the Office of the State Fire Marshal to best effectuate the recommendations of the "Phase 3" Forward-Looking Report by Fire Safety Research Institute on the August 2023 Maui wildfires.

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.

Currently, the State Fire Council is administratively attached to the Department of Labor and Industrial Relations (DLIR). However, the evolving nature of fire-related emergencies, including wildfires and other large-scale incidents, necessitates a more integrated approach with the state's emergency management and response infrastructure. The Department of Defense (DOD), which encompasses the Hawaii Emergency Management Agency, is better positioned to provide the necessary support and coordination for statewide fire prevention and response efforts.

**Specific Reasons for the Proposed Transfer:**

1. **Enhanced Emergency Coordination:** The DOD's existing role in disaster preparedness and response aligns seamlessly with the objectives of the State Fire Marshal and State Fire Council. This alignment will facilitate more efficient mobilization of resources during fire emergencies.
2. **Improved Resource Allocation:** Integrating fire mitigation and coordinated services within the DOD allows for better allocation of federal and state resources, ensuring that fire prevention and response initiatives are adequately funded and supported.

3. **Streamlined Communication:** Housing the State Fire Marshal and State Fire Council within the DOD will enhance communication channels among various emergency response agencies, leading to more cohesive and effective operations during crises.

#### **Additional Provisions in SB 1383:**

- **Establishment of the Office of the State Fire Marshal:** The bill proposes the transfer of the Office of the State Fire Marshal to the DOD. The State Fire Marshal, appointed by the State Fire Council for a five-year term, will oversee statewide fire protection efforts, including coordinating with local agencies, reviewing fire risks, and conducting inspections of state buildings.
- **Duties of the State Fire Marshal:** The State Fire Marshal's responsibilities will encompass a broad range of activities aimed at enhancing fire safety, such as:
  - Coordinating fire protection efforts between local agencies.
  - Working with the State Fire Council on matters related to fire services.
  - Reviewing and proposing amendments to the state fire code.
  - Conducting inspections of state buildings to ensure fire safety compliance.
  - Providing public education and awareness on fire safety.

#### **Amendments to the Hawaii Revised Statutes (HRS):**

- **Amendment to HRS §132-16:** The bill proposes amending HRS §132-16 to reflect the transfer of the State Fire Council to the DOD for administrative purposes. This change aligns the council's administrative support with its operational needs in fire prevention and response.
- **Addition of New Section (§132-NEW):** A new section is proposed to establish the Office of the State Fire Marshal within the DOD, detailing the appointment process, qualifications, and duties of the State Fire Marshal.

The proposed transfer of the State Fire Marshal and State Fire Council to the Department of Defense represents a strategic enhancement of Hawaii's fire protection and emergency response capabilities. By aligning these entities with the state's primary emergency management agency, we can ensure a more coordinated, efficient, and effective approach to safeguarding our communities from fire-related hazards.

I respectfully urge the committee to pass SB 1383 to strengthen our state's fire protection framework.

Mahalo for the opportunity to testify on 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

February 3, 2025

To: The Honorable Henry J.C. Aquino, Chair,  
The Honorable Chris Lee, Vice Chair, and  
Members of the Senate Committee on Labor and Technology

The Honorable Brandon J.C. Elefante, Chair,  
The Honorable Glenn Wakai, Vice Chair, and  
Members of the Senate Committee on Public Safety and Military Affairs

Date: Monday, February 3, 2025  
Time: 3:00 p.m.  
Place: Conference Room 224, State Capitol

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

**Re: S.B.1383, RELATING TO FIRE PROTECTION.**

**I. OVERVIEW OF PROPOSED LEGISLATION**

The **DLIR strongly supports** this proposal to effectuate the recommendations of the "Phase 3" forward-looking report and transfers the Office of State Fire Marshal and the State Fire Council from the DLIR to the Department of Defense.

**II. CURRENT LAW**

§132- established the state fire council and office of the state fire marshal within the department of labor and industrial relations.

**III. COMMENTS ON THE HOUSE BILL**

The DLIR believes the public safety of Hawaii's people will be better served and protected by the permanent placement of the State Fire Council and State Fire Marshal to the Department of Defense.



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



STEPHEN F. LOGAN  
MAJOR GENERAL  
ADJUTANT GENERAL  
KA 'AKUKANA KENELALA

PHILLIP L. MALLORY  
BRIGADIER GENERAL  
DEPUTY ADJUTANT GENERAL  
KA HOPE 'AKUKANA KENELALA

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF DEFENSE**  
**KA 'OIHANA PILI KAUA**  
OFFICE OF THE ADJUTANT GENERAL  
3949 DIAMOND HEAD ROAD  
HONOLULU, HAWAI'I 96816-4495

STATE OF HAWAII  
DEPARTMENT OF DEFENSE

TESTIMONY ON SENATE BILL 1383  
RELATING TO FIRE PROTECTION

BEFORE THE JOINT COMMITTEE ON PUBLIC SAFETY  
AND LABOR AND TECHNOLOGY

BY

MAJOR GENERAL STEPHEN F. LOGAN  
ADJUTANT GENERAL

FEBRUARY 2, 2025

Aloha Chair Elefante, Chair Aquino, Vice-Chair Wakai, Vice Chair Lee, and members of the committee:

I am Major General Stephen Logan, Adjutant General, State of Hawaii, Department of Defense, and Director of the Hawaii Emergency Management Agency.

The Department of Defense provides written testimony in **SUPPORT of SB1383**.

This measure adds twenty-nine new sections to chapter 132, Hawaii Revised Statutes (HRS); adds a new section to part IV of chapter 193, HRS; and amends sections 26-21, 76-16(b), 107-26, 132-1, 132-2, 132-3, 132-4, 132-4.5, 132-5, 132-6, 132-9, 132-10, 132-11, 132-12, 132-13, 132-16, 132-18(c), 170-28, 185-4(a), 291C-1, HRS, and section 2 of Act 209, Session Laws of Hawaii 2024. The purpose of this bill is to amend the laws concerning the Office of the State Fire Marshal (OSFM) to best effectuate the recommendations of the "Phase 3" Forward-Looking Report by Fire Safety Research Institution on the August 2023 Maui wildfires.

In the aftermath of the August 2023 Lahaina wildfires, the Department of the Attorney General initiated an investigation and retained the independent, third-party Fire Safety Research Institute, part of UL Research Institutes, to assess the performance of state

and county agencies in preparing for and responding to the August 2023 Maui wildfires. The investigation led to three reports — a "Phase 1" Comprehensive Timeline report, a "Phase 2" Incident Analysis Report, and a "Phase 3" Forward-Looking Report.

The "Phase 3" Forward-Looking Report organized these findings and provided a prioritized list of action items for the State and all counties for changes to be made to improve Hawaii's response to wildfires. The report calls for changes and improvements to the OSFM, which was established by Act 209, Session Laws of Hawaii 2024. Changes included bolstering the statutory authority of the OSFM to address the wide spectrum of fire safety issues and delineating responsibilities and reporting structures between the State Fire Marshal and the State Fire Council; creating an organizational structure to immediately address the State's fire-safety priorities effectively; and substantially increasing the budget for the staffing of the OSFM.

This bill will align the OSFM's mission and responsibilities under the Department of Defense. The State Fire Marshal is currently located in the Department of Labor and Industrial Relations (DLIR). DLIR's focus on labor related issues is distinctly different from disaster preparedness and emergency response. The Department of Defense mission aligns with disaster readiness, response coordination and public safety making it a more appropriate location for fire protection and emergency management functions. It further co-locates the State Fire Council (SFC) and the OSFM.

This bill seeks to improve consistency with National Best Practices, such as those of California, Florida and New York, which all house their oversight of fire safety under their emergency management or emergency services divisions. Additionally, it will enhance resource allocation and administrative synergy. The Department of Defense already provides logistical and administrative support for emergency response entities, allowing the SFC and OSFM to leverage existing infrastructure.

The one concern the department has at this time is relative lack of experience and technical expertise in fire management until the OSFM organizational structure is established.

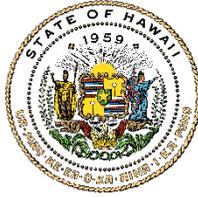
Wildfires are a growing threat and Hawaii's vulnerability to wildfires, as seen in recent events, necessitates a change. Passage of this bill would clarify the role of the State Fire Marshal and facilitate unity of effort with the State Fire Council thereby increasing the readiness and resilience of the State against fire related disasters.

Thank you for the opportunity to testify.

MG Stephen F. Logan, [Stephen.f.logan@hawaii.gov](mailto:Stephen.f.logan@hawaii.gov); 808-672-1001

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  
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FIRST DEPUTY

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DEPUTY DIRECTOR - WATER

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ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the Senate Committees on  
LABOR AND TECHNOLOGY  
and  
PUBLIC SAFETY AND MILITARY AFFAIRS

Monday, February 3, 2025  
3:00 PM

State Capitol, Conference Room 224, and Via Videoconference

In consideration of  
SENATE BILL 1383  
RELATING TO FIRE PROTECTION

Senate Bill 1383 proposes amending the laws concerning the Office of the State Fire Marshal to best implement the recommendations of the "Phase 3" Forward-Looking Report prepared by the Fire Safety Research Institute regarding the August 2023 Maui wildfires. **The Department of Land and Natural Resources provides the following comments on this measure.**

The Department supports the intent of this measure, which defines and expands the roles of the State Fire Marshal and redefines the roles of the State Fire Council. By combining the Fire Marshal's enforcement power with the State Fire Council's advisory expertise, Hawai'i will establish a more proactive and effective fire safety framework that aligns with national best practices.

The Department suggests that the Legislature consult the State Fire Council to determine the optimal departmental placement for the Marshal and Council to best serve the state regarding fire prevention and suppression.

Mahalo for the opportunity to provide testimony on this measure.



**Hawaiian  
Electric**

**TESTIMONY BEFORE THE SENATE COMMITTEES ON  
LABOR AND TECHNOLOGY & PUBLIC SAFETY AND MILITARY AFFAIRS**

**SB 1383  
Relating to Fire Protection**

Monday, February 3, 2025  
3:00 PM  
State Capitol, Conference Room 224

Jimmy D. Alberts  
Senior Vice President & Chief Operations Officer  
Hawaiian Electric

Dear Chairs Aquino and Elefante, Vice Chairs Lee and Wakai, and Members of the Committees,

My name is Jimmy D. Alberts and I am testifying on behalf of Hawaiian Electric in support of SB 1383, Relating to Fire Protection.

Hawaiian Electric supports this bill, which aims to implement safety priorities from the Fire Safety Research Institute Phase 3 Forward-Looking Report. Wildfires and other climate change impacts are whole-of-society issues that must be addressed collectively with a holistic approach by the State, counties, and private sector.

Hawaiian Electric recently submitted its 2025-2027 Wildfire Safety Strategy to the Hawai'i Public Utilities Commission, which details Hawaiian Electric's plans to deploy new technology, fortify infrastructure, minimize fire hazards and expand community partnerships to significantly reduce the risk of a wildfire started by its equipment. One aspect of this comprehensive bill is that it would give the State Fire Marshal's office discretionary power to explore additional opportunities to reduce wildfire risk, including engaging with electric utilities regarding further actions to protect public

safety, reduce risk to electric company customers, and promote electrical system resilience to wildfire damage. Hawaiian Electric would welcome the opportunity to work with the State Fire Marshal's office as we continue our work with many State, county, and local stakeholders to create a safer and more resilient Hawai'i.

Accordingly, Hawaiian Electric supports SB 1383. Thank you for this opportunity to testify.



# Kamehameha Schools®

Senate Committee on Public Safety and Military Affairs  
Senate Committee on Labor and Technology

Time: 3:00 p.m.

Date: February 3, 2025

Where: Conference Room 224

## TESTIMONY

By: Kā'eo Duarte

Vice President, 'Āina Pauahi

### **RE: SB 1383, Relating to Fire Protection**

Aloha e nā Luna Ho'omalua Elefante, Aquino, nā Hope Luna Ho'omalua Wakai, Lee, a me nā Lālā o nā Kōmike.

Kamehameha Schools appreciates this opportunity to **support** SB 1383.

We are in support of this bill which aims to implement the recommendations in Phase 3 of the Fire Safety Research Institute, including, the establishment of the Office of the State Fire Marshal, and the creation of defensible space requirements. As stewards of our 'Āina Pauahi, we mālama this 'āina for the education of Native Hawaiian children in perpetuity. An essential part of this vision is to work with local governments, and the community to ensure the safety of our keiki and kaiāulu.

Founded in 1887 by the legacy of Princess Bernice Pauahi Bishop, Kamehameha Schools (KS) is a private, educational, charitable trust committed to improving the capability and well-being of Native Hawaiian people through education. KS envisions a thriving lāhui where learners, grounded in Christian and Hawaiian values, grow into 'ōiwi leaders who inspire and contribute to their communities, both locally and globally.

## TESTIMONY OF LESLIE DOOR

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COMMITTEE ON LABOR AND TECHNOLOGY  
Senator Henry J.C. Aquino, Chair  
Senator Chris Lee, Vice Chair

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS  
Senator Brandon J.C. Elefante, Chair  
Senator Glenn Wakai, Vice Chair

Monday, February 3, 2025  
3:00 p.m.

### **SB 1383**

Chair Aquino, Vice Chair Lee, and members of the Committee on Labor and Technology, and Chair Elefante, Vice Chair Wakai and members of the Committee on Public Safety and Military Affairs, my name is Leslie Door, Director of Product, Risk & Regulatory Compliance for Zephyr Insurance Company and Property Chair for Hawaii Insurers Council. The Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately forty percent of all property and casualty insurance premiums in the state.

Hawaii Insurers Council **supports** this bill with one friendly amendment. SB 1383 implements Phase 3, a forward-looking report, from the Fire Safety Research Institute, which conducted a study after the Lahaina Wildfires in 2023. We believe this bill adopts measures that will reduce fire risk to our community. Defensible space, assistance for vulnerable persons, and a statewide building code all contribute to a community that is safer from fire.

HIC respectfully requests the language contained in proposed section 132-D(8)(A) on page 10, lines 7-11, be amended to read as follows, so that coordination with the insurance industry is done through the State Insurance Commissioner. The language we suggest would read as follows:

“(8)(A) The insurance commissioner, as defined in Section 431:2-102, regarding insurance policy coverage provisions, underwriting standards, insurance rates, and any other insurance-related topic relevant to enhancing the protection of property from wildfire at a reasonable cost; ...”

Thank you for the opportunity to testify.

To: Senator Henry Aquino, Chair  
Senator Chris Lee, Vice Chair, and  
Members of the Senate Committee on Labor and Technology

**LATE**

Senator Brandon Elefante, Chair  
Senator Glenn Wakai, Vice Chair, and  
Members of the Senate Committee on Public Safety and Military Affairs

Date: Monday, February 3, 2025

From: Roberta Chun

RE: Senate Bill 1383, Relating to Fire Protection – In Opposition

**LATE**

I am Roberta Chun, retired from the City and County of Honolulu and former Hawaii State Government Employees Association (HGEA) State Board Member.

Mahalo for the opportunity to testify in opposition of SB 1383. Until human resources best practices for hiring are complete with an organization chart and corresponding budget for an office of the State Fire Marshal (SFM) is prepared and presented to the Hawaii State Legislature, this bill should be deferred.

I am in strong support of the expeditious creation of an office of the SFM in Hawaii but not neglectfully. Without properly vetting this bill, this is currently delaying the process of implementing a functioning office of the SFM rather than expediting the process.

Hawaii's unique geographic makeup is comprised of diverse environments unique to each county especially in terms of fire mitigation. It is understandable the position of SFM was abolished in 1978 and replaced by the existing State Fire Council (SFC) comprised of the highest authorities in fire mitigation in the State of Hawaii. Over the past forty years, the SFC has been functioning as an independent council, meeting quarterly with access to pertinent data, information, and personnel. Support personnel are located at the Honolulu Fire Department Headquarters. Therefore, relocating the SFC will also be a distraction and cause delays in the proper creation of the office of the SFM. Prior to this bill, the Department of Labor and Industrial Relations had not made a request to relocate the SFC.

SB 1383 is in response to the "Phase 3" Forward-Looking Report by the Fire Safety Research Institute on the August 2023 Maui Wildfires. As per National Incident Management protocols, Hawaii Emergency Management (HIEMA) housed under the Department of Defense (DOD) was an integral player in the incidents that occurred during the 2023 Maui fires. More research must be conducted in determining whether the DOD is prepared to administratively support the office of the SFM or the SFC.

Hawaii's exempt and excluded positions are represented by the American Federation of State, County and Municipal Employees (AFSCME). Hawaii civil service positions are represented by the HGEA and the United Public Workers (UPW) unions. Consultation with the appropriate unions should be a part of this process.

With the SFC as the regulator or administrator of the office of the SFM, I urge you to defer SB 1383 until the SFC has a functioning organization chart for the office of SFM.