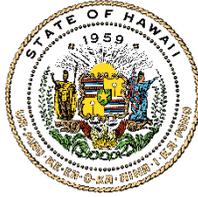


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

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

CIARA W.K. KAHAHANE  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
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MANAGEMENT  
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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 Committees on  
WAYS AND MEANS  
and  
JUDICIARY

Monday, April 01, 2025  
10:00 AM

State Capitol, Conference Room 211, and Via Videoconference

In consideration of  
HOUSE BILL 1064, HOUSE DRAFT 2, SENATE DRAFT 1  
RELATING TO FIRE PROTECTION

House Bill 1064, House Draft 2, Senate Draft 1 proposes amending the laws concerning the Office of the State Fire Marshal to effectuate the recommendations of the "Phase 3" Forward-Looking Report prepared by the Fire Safety Research Institute regarding the August 2023 Maui wildfires, further clarifies the role of the State Fire Marshal, and appropriates funds. Establishes the Office of the State Fire Marshal in the Department of Defense. Establishes the State Fire Marshal Selection Commission. **The Department of Land and Natural Resources opposes this measure as written.**

The Department appreciates 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. However, The Department does not support language in HB 1064, HD 2, SD 1, related to the establishment of the State Fire Marshal Selection Commission. On March 24, the State Fire Council (SFC), of which the Department's representative is a voting member, interviewed candidates for the State Fire Marshal (SFM) position as required by Act 209, Session Laws of Hawai'i 2024. The SFC identified a well-qualified, knowledgeable, and articulate candidate to fill the SFM position. The SFC intends to offer the SFM position to the selected candidate. The selection of this candidate culminated nine months and hundreds of manhours of effort by SFC members since Act 209 was enacted in July 2024. The amendments proposed in SD1 could potentially nullify the work of SFC in the selection of the SFM and delay the hiring of the SFM for many months.

The Department supports the amendment in House Draft 2, that states that the Office of the State Fire Marshal (OSFM) report directly to the Governor. The OSFM must function as a centralized authority, independent of local jurisdictions but in close collaboration with county and state fire and emergency management departments. Reporting directly to the Governor's Office will provide the OSFM with the executive support needed to fulfill its statewide mandate, oversight, and coordination.

The Department also recommends a minimum funding of \$2,000,000 to adequately support the reestablishment of the OSFM as specified in the SFC's 2024 Report to the Legislature. The Department urges your committees to pass legislation that will provide clarity, consistency, and continuity in consideration of the work and effort performed by the SFC to fill the SFM position.

Mahalo for the opportunity to provide testimony and comment on this measure.



STATE OF HAWAII  
KA MOKU'ĀINA O HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
KA 'OIHANA PONO LIMAHANA

April 1, 2025

To: The Honorable Donovan Dela Cruz, Chair,  
The Honorable Sharon Moriwaki, Vice Chair, and  
Members of the Senate Committee on Ways and Means

The Honorable Karl Rhoads, Chair  
The Honorable Mike Gabbard, Vice Chair  
Members of the Senate Committee on Judiciary

Date: Tuesday, April 1, 2025  
Time: 10:00 a.m.  
Place: Conference Room 211, State Capitol

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

**Re: H.B. 1064, H.D. 2, S.D. 1, RELATING TO FIRE PROTECTION.**

**I. OVERVIEW OF PROPOSED LEGISLATION**

The **DLIR supports the intent** of this proposal to effectuate the recommendations of the "Phase 3" Forward-Looking Report. The department respectfully requests transferring the State Fire Council along with the Office of State Fire Marshal to the Department of Defense (DOD) to reflect the original intent of the Governor's proposal to align these entities with the state's primary emergency management agency.

**II. CURRENT LAW**

Act 209 (SLH, 2024) established the Office State Fire Marshal within the DLIR. The State Fire Council has been administratively attached to the DLIR since Act 241 (SLH, 1978).

**III. COMMENTS ON THE HOUSE BILL**

The DLIR strongly supports efforts to improve Hawaii's response to wildfires by delineating responsibilities and reporting structures and fostering an organizational structure to address fire safety priorities effectively. The DLIR's primary roles in response to the Maui wildfires included administering Disaster Unemployment Assistance and a National Dislocated Workers Grant. The department focuses on labor-related issues, which are distinct from disaster preparedness and emergency

response. The DOD has a mission centered on disaster readiness, response coordination, and public safety, making it a more appropriate home for fire protection and emergency management functions. The 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.

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 HOUSE BILL 1064 HD2 SD1  
RELATING TO FIRE PROTECTION

BEFORE THE SENATE JOINT COMMITTEE ON WAYS AND MEANS,  
AND JUDICIARY

BY

MAJOR GENERAL STEPHEN F. LOGAN  
ADJUTANT GENERAL AND  
DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY

MARCH 30, 2025

Aloha Chair Dela Cruz, Chair Rhoads, Vice-Chair Moriwaki, Vice-Chair Gabbard, and members of the committees:

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

The Department of Defense provides written testimony in **SUPPORT of HB 1064 HD2 SD1.**

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 the 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.

The department supports the Governor's direction in aligning 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.

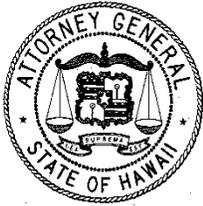
The bill will improve consistency with National Best Practices, such as those of other states, who house their oversight of fire safety under their emergency management or emergency services divisions. Additionally, it will enhance resource allocation and administrative synergy. The Department of Defense 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 a relative lack of experience and technical expertise in fire management until the OSFM organizational structure can be 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



**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-THIRD LEGISLATURE, 2025**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 1064, H.D. 2, S.D. 1, RELATING TO FIRE PROTECTION.

**BEFORE THE:**

SENATE COMMITTEES ON WAYS AND MEANS AND ON JUDICIARY

**DATE:** Tuesday, April 1, 2025

**TIME:** 10:00 a.m.

**LOCATION:** State Capitol, Room 211

**TESTIFIER(S):** **WRITTEN TESTIMONY ONLY.**

(For more information, contact Hiroyuki S. Takei,  
Deputy Attorney General, at [hiroyuki.s.takei@hawaii.gov](mailto:hiroyuki.s.takei@hawaii.gov) or 808-  
586-1450)

---

Chairs Dela Cruz and Rhoads and Members of the Committees:

The Department of the Attorney General supports this bill and provides the following comments and recommended amendments.

This bill effectuates the recommendations of the "Phase 3" Forward-Looking Report by the Fire Safety Research Institute on the 2023 Maui wildfires and clarifies the role of the State Fire Marshal. It also relocates the Office of the State Fire Marshal from the Department of Labor and Industrial Relations to the Department of Defense, and establishes a new State Fire Marshal Selection Commission to appoint the State Fire Marshal beginning January 1, 2026. Until that day, the bill authorizes the Governor to appoint the State Fire Marshal from a list of three nominees submitted by the State Fire Council.

Act 209, Session Laws of Hawaii 2024 (Act 209), established the Office of the State Fire Marshal, effective July 1, 2024, and authorized the State Fire Council to appoint the State Fire Marshal for a five-year term.

The bill changes the appointment procedure established by Act 209. Under the proposed section 132-H(a), HRS (page 10, lines 1-11), any State Fire Marshall appointed by the State Fire Council under Act 209 would be replaced on this bill's effective date by the Governor's appointee, potentially a different person. If the

Legislature intends for the State Fire Marshal appointed under Act 209 to serve a five-year term, we recommend amending page 10, lines 2-5, as follows:

Until January 1, 2026, ~~[the state fire marshal shall be the administrator of the office and]~~ if a state fire marshal has not already been appointed by the state fire council as set forth in Act 209, Session Laws of Hawaii 2024, the state fire marshal shall be appointed by the governor from a list of three names submitted by the state fire council. (Wording to be deleted is bracketed and stricken; new wording is underscored).

In addition, we recommend adding a new subsection (g) to the new section to be added to chapter 132 establishing the State Fire Marshal Selection Commission after page 26, line 4, to read:

(g) Notwithstanding the provisions as set forth in this section, if a state fire marshal has already been appointed by the state fire council as set forth in Act 209, Session Laws of Hawaii 2024, the state fire marshal selection commission's authority to appoint the state fire marshal will begin upon the expiration of the appointed state fire marshal's term.

The State Fire Marshal Selection Commission, once created, would retain the authority to remove the State Fire Marshal, as provided in section 132- (b)(1), HRS, on page 23, lines 16-17.

Additionally, we note that section 132-J, HRS, on page 11, lines 7-10, provides that salaries and expenses of the Office of the State Fire Marshal "shall be paid in the same manner as the expenses of other offices of the office of the governor." This is inconsistent with the rest of the bill, which places the Office of the State Fire Marshal within the Department of Defense and appropriates funding for its operations to be expended by the Department of Defense as stated on page 59, lines 1-8. To address this inconsistency, we recommend deleting section 132-J (page 11, lines 7-10) and renumbering the subsequent sections accordingly.

We respectfully ask the Committees to consider these recommended revisions and pass this bill. Thank you for the opportunity to provide comments on this bill.



# Hawai'i Climate Advisory Team

To: Senator Donovan M. Dela Cruz, Chair  
Senator Sharon Y. Moriwaki, Vice Chair  
Committee on Ways and Means

Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair  
Committee on Judiciary

From: The Climate Advisory Team

RE: **HB1064, HD2, SD1 - Relating to Fire Protection - Support**  
Tuesday, April 1, 2025, 10:00 a.m., Conference Room 211 & Videoconference

Aloha Chairs Dela Cruz and Rhoads, Vice Chairs Moriwaki and Gabbard, and Members of the Committees,

Mahalo for the opportunity to testify **in support** of HB1064, HD2, SD1, relating to fire protection. The Climate Advisory Team (CAT) believes it is critical to support the Office of the State Fire Marshal in fulfilling its mission of protecting Hawai'i's residents and improving how the state responds to wildfires.

The CAT is a volunteer group, convened by Governor Green to develop community-informed policy recommendations to help make Hawai'i more resilient to natural disasters. The CAT published its findings and recommendations in a [policy paper](#) in January 2025, which provides detailed context for the measures we are supporting this legislative session.

The devastating 2023 Maui wildfires exposed significant vulnerabilities and inadequacies in our state's ability to prepare for and respond to wildfires. One of our greatest vulnerabilities is that the state does not have a State Fire Marshal. While the Legislature created a fire marshal position in 2024, as of this writing, that person has not yet been hired and has no staff, budget, or office. Establishing a fully functional Hawai'i State Fire Marshal Office was named the second highest priority in the Fire Safety Research Institute's (FSRI) "Phase 3" forward-looking report of actions to improve Hawai'i's response to wildfires.

The magnitude of work required by the Office of the State Fire Marshal cannot be overstated. This office must be supported, expanded, and appropriately resourced to ensure its stability and efficacy. This bill would appropriately clarify the role and duties of the Office of the State Fire Marshal, bolster its ability to address fire safety issues across the state, and address the organizational structure of the Office of the State Fire Marshal.



# Hawai'i Climate Advisory Team

The CAT underscores the urgent need for more funding for the Office of the State Fire Marshal. The amount currently allocated for the office is \$172,000; the CAT recommends annual funding of at least \$2 million for the office. The annual budget for the state fire marshal position and the staffed office should be increased substantially in the 2025 legislative session with appropriate long-term funding commitments made. These steps are necessary to fully execute the recommendations made by FSRI and the attorney general and ensure our state is better equipped to respond to wildfires. Please see [Section 3.2.3 of our Policy Recommendation on Climate Disaster Resilience, Recovery and Funding](#) for more information.

Thank you for the opportunity to testify before your committees in support of HB1064, HD2, SD1.

With aloha,

The Climate Advisory Team

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)

March 28, 2025

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

The Honorable Karl Rhoads, Chair  
Senate Committee on Judiciary  
State Capitol, Room 228  
Honolulu, Hawaii 96813

Dear Chairs Dela Cruz and Rhoads:

Subject: House Bill (HB) 1064, House Draft (HD) 2, Senate Draft (SD) 1, Relating to Fire Protection

I am Kazuo Todd, Chair of the Hawaii State Fire Council (SFC). The SFC does not support language in HB 1064, HD 2, SD 1, related to the establishment of the State Fire Marshal Selection Commission.

On March 24, the SFC interviewed candidates for the State Fire Marshal (SFM) position as required by Act 209, Session Laws of Hawaii 2024. The SFC identified a well-qualified, knowledgeable, and articulate candidate to fill the SFM position. The SFC intends to offer the SFM position to the selected candidate.

The selection of this candidate culminated 9 months and hundreds of manhours of effort by SFC members since Act 209 was enacted in July 2024. The timeline, actions, and due diligence performed by the SFC to fill the SFM position is summarized:

- 5/3/24 House Bill 2085 to reestablish the Office of the State Fire Marshal (OSFM) passed Final Reading and was enrolled to the governor.
- 7/5/24 Act 209 to reestablish the OSFM was signed by Governor Green.
- 7/11/24 The SFC & DLIR start initial discussions and work on the SFM position description (PD) and other documents required by Act 209.
- 8/12/24 The SFC discussed its requirements to comply with Act 209 at its FY25 First Quarter Meeting.
- 9/18/24 The SFM position description was finalized by DLIR & SFC.
- 9/27/24 DLIR requests release of \$172,000 in general funds as appropriated by Act 209, SLH 2024.

- 9/27/24 The SFC conducted a special meeting & approved the SFM PD and 89-day hires for the position.
- 11/7/24 \$172,000 in general funds as requested by DLIR on 9/27/2024 was released by Governor Green.
- 11/8/24 The SFC approved the Report to the Legislature (required by Act 209) regarding the OSFM at its FY25 Second Quarter Meeting.
- 11/15/24 The SFM position description was posted on the DLIR & DHRD websites
- 1/14/25 The SFC approved establishment of a Permitted Interaction Group to review SFM application received and create a list of qualified applicants.
- 1/15/25 2025 Legislative session opens and several bills are introduced to place the OSFM within Hawaii State DoD.
- 1/23/25 The SFM position was removed from the DLIR & DHRD websites. 14 applications for the position were received.
- 2/3/25 The SFC conducted a special meeting on the presentation of findings and recommendations of the Permitted Interaction Group that was formed on 1/14/2025.
- 2/25/25 The SFC conducted a special meeting to accept presentation of findings and recommendations of the Permitted Interaction Group that was formed on 1/14/2025.
- 3/24/25 The SFC interviewed 4 applicants for the SFM position. Six candidates were initially scheduled for interviews but 2 withdrew.
- 3/27/25 The SFC chair met with the DLIR Deputy Director, HR specialist, and Deputy Attorneys General to obtain clarity on the SFM hiring process.

On March 27 a discussion with Department of Labor and Industrial Relations personnel, Deputy Attorneys General, and myself was conducted to agree upon the process to offer the position to the candidate selected by the SFC. All involved in the discussion agreed the current path forward to hire the selected candidate is unclear and language in HB 1064, HD2, SD1, certainly obfuscates the onboarding process.

The SFC strongly recommends amendments to HB 1064, HD 2, SD 1 which aligns with the SFC's 2024 Report to the Legislature, available at <https://labor.hawaii.gov/wp-content/uploads/2024/11/State-Fire-Marshall-Report-ACT209-part-1-signed.pdf>. The Personnel Plan section of the report states:

Posting of the SFM position shall follow established processes within the DLIR. The SFM shall be appointed by the SFC to serve a term of five years. If necessary, the SFC may fill the position of the SFM with a temporary (89-day hire). The appointment of the SFM shall be made without regard to chapters 76 and 89, and shall not be subject to the advice and consent of the senate. The SFM position was posted on the DLIR website. The SFM will be annually evaluated by the SFC in accordance with performance objectives (under development at the time of this report). The SFC may recommend or take corrective actions in the case of suboptimal performance by the SFM. At the time of this report, Act 209 specifies an appropriation to establish one full time equivalent permanent position to support the SFM. The SFM shall follow established processes

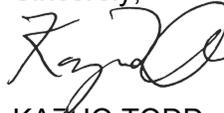
The Honorable Donovan Dela Cruz, Chair  
The Honorable Karl Rhoads, Chair  
Page 3  
March 28, 2025

within the DLIR to fill the support position from a pool of qualified applicants.  
Additionally, Act 209 states the SFM may hire staff as necessary.

The SFC also recommends a minimum funding of \$2,000,000 to adequately support reestablishment the Office of the SFM as specified in the SFC's 2024 Report to the Legislature. The SFC urges your committees to pass legislation that will provide clarity, consistency, and continuity in consideration of the work and effort performed to fill the SFM position.

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



EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

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

**Senate Committee on Ways and Means and Committee on Judiciary**

Tuesday, April 1, 2025

10:00 a.m.

State Capitol, Conference Room 211 and Videoconference

**In Support**

**H.B. No. 1064 H.D. 2, S.D. 1 Relating to Fire Protection**

Chair Dela Cruz, Vice Chair Moriwaki, Chair Rhoads and Vice Chair Gabbard, and members of the Senate Committee on Ways and Means and Senate Committee on Judiciary

The Office of the Governor supports H.B.1064 H.D. 2, S.D 1, 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:** 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 HB 1064 H.D. 2, S.D.1:**

- **Establishment of the Office of the State Fire Marshal:** The bill placing the Office of the State Fire Marshal permanently to DOD for administrative purposes. The State Fire Marshal, appointed by the Governor from a list of three names submitted by the State Fire Council for a five-year term, and shall not be subject to the advice and consent of the Senate, 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 state fire marshal selection commission, which shall be placed within the DOD for administrative purposes.

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 HB 1064, H.D. 2, S.D. 1 to strengthen our state's fire protection framework.

Mahalo for the opportunity to testify.

**HONOLULU FIRE DEPARTMENT  
KA 'OIHANA KINAI AHI O HONOLULU  
CITY AND COUNTY OF HONOLULU**

636 SOUTH STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 723-7139 • FAX: (808) 723-7111 • WEBSITE: honolulu.gov

RICK BLANGIARDI  
MAYOR  
MEIA



SHELDON K. HAO  
FIRE CHIEF  
LUNA NUI KINAI AHI  
  
JASON SAMALA  
DEPUTY FIRE CHIEF  
HOPE LUNA NUI KINAI AHI

March 31, 2025

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



The Honorable Karl Rhoads, Chair  
Committee on Judiciary  
State Senate  
State Capitol, Room 228  
Honolulu, Hawai'i 96813

Dear Chairs Dela Cruz and Rhoads:

Subject: House Bill (HB) 1064, House Draft (HD) 2, Senate Draft (SD) 1 Relating to Fire Protection

I am Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD opposes language in HB 1064, HD 2, SD 1, which proposes to establish a State Fire Marshal (SFM) Selection Commission.

On March 24, the State Fire Council (SFC) interviewed candidates for the SFM position, as required by Act 209, Session Laws of Hawaii (SLH) 2024. The SFC identified a well-qualified, knowledgeable, and articulate candidate to fill the SFM position. The SFC intends to offer the SFM position to the selected candidate.

The selection of this candidate culminated nine months of manhours and effort by SFC members since Act 209 was enacted in July 2024. The timeline, actions, and due diligence performed by the SFC to fill the SFM position is herewith summarized:

05/03/24 House Bill 2085 to reestablish the Office of the State Fire Marshall passed its final reading and was enrolled to Governor Josh Green.

The Honorable Donovan Dela Cruz, Chair  
The Honorable Karl Rhoads, Chair  
Page 2  
March 31, 2025

- 07/05/24 Act 209 to reestablish the Office of the SFM was signed by Governor Green.
- 07/11/24 The SFC and the State of Hawai'i's (State) Department of Labor and Industrial Relations (DLIR) start initial discussions and work on the SFM position description (PD) and other documents required by Act 209.
- 08/12/24 The SFC discussed its requirements to comply with Act 209 at its fiscal year (FY) 2025 First Quarter Meeting.
- 09/18/24 The SFM PD was finalized by the DLIR and the SFC.
- 09/27/24 The DLIR requested release of \$172,000 in general funds, as appropriated by Act 209, SLH 2024.
- 09/27/24 The SFC conducted a special meeting and approved the SFM PD and 89-day hires for the position.
- 11/07/24 On September 27, 2024, \$172,000 in general funds were released by Governor Green as requested by the DLIR.
- 11/08/24 The SFC approved the Report to the Legislature (required by Act 209) regarding the Office of the SFM at its FY 2025 Second Quarter Meeting.
- 11/15/24 The SFM position description was posted on the DLIR and the State's Department of Human Resources Development (DHRD) websites.
- 01/14/25 The SFC conducted a special meeting and approved the establishment of a Permitted Interaction Group (PIG) to review SFM applications received and created a list of qualified applicants.
- 01/15/25 The 2025 Legislative Session opened, and several bills are introduced to place the Office of the SFM within the State's Department of Defense.
- 01/23/25 The SFM position was removed from the DLIR and the DHRD websites. There were 14 applications that were received for the position.
- 02/03/25 The SFC conducted a special meeting on the presentation of findings and recommendations of the PIG that was formed on January 14, 2025.
- 02/25/25 The SFC conducted a special meeting to accept the presentation of findings and recommendations of the PIG that was formed on January 14, 2025.

The Honorable Donovan Dela Cruz, Chair  
The Honorable Karl Rhoads, Chair  
Page 3  
March 31, 2025

03/24/25 The SFC interviewed four applicants for the SFM position. Six candidates were initially scheduled for an interview, but two withdrew.

03/27/25 The SFC Chair met with the DLIR Deputy Director, Human Resource Specialist, and Deputy Attorneys General to obtain clarity on the SFM hiring process.

On March 27, 2025, a discussion with DLIR personnel, Deputy Attorneys General, and the SFC Chair was conducted to agree upon the process to offer the position to the candidate selected by the SFC. All involved in the discussion agreed the current path forward to hire the selected candidate is unclear and language in HB 1064, HD2, SD1 certainly obfuscates the onboarding process.

The SFC strongly recommends amendments to HB 1064, HD 2, SD 1, which aligns with the SFC's 2024 Report to the Legislature and is available at <https://labor.hawaii.gov/wp-content/uploads/2024/11/State-Fire-Marshal-Report-ACT209-part-1-signed.pdf>. The Personnel Plan section of the report states:

Posting of the SFM position shall follow established processes within the DLIR. The SFM shall be appointed by the SFC to serve a term of five years. If necessary, the SFC may fill the position of the SFM with a temporary (89-day) hire. The appointment of the SFM shall be made without regard to chapters 76 and 89, and shall not be subject to the advice and consent of the senate. The SFM position was posted on the DLIR website. The SFM will be annually evaluated by the SFC in accordance with performance objectives (under development at the time of this report). The SFC may recommend or take corrective actions in the case of suboptimal performance by the SFM. At the time of this report, Act 209 specifies an appropriation to establish one full time equivalent permanent position to support the SFM. The SFM shall follow established processes within the DLIR to fill the support position from a pool of qualified applicants. Additionally, Act 209 states the SFM may hire staff as necessary.

The SFC also recommends a minimum funding of \$2,000,000 to adequately support reestablishment of the Office of the SFM, as specified in the SFC's 2024 Report to the Legislature.

The SFC urges your committees to pass legislation that will provide clarity, consistency, and continuity in consideration of the work and effort performed to fill the SFM position.

The Honorable Donovan Dela Cruz, Chair  
The Honorable Karl Rhoads, Chair  
Page 4  
March 31, 2025

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

Sincerely,

SHELDON K. HAO  
Fire Chief

SKH/GL:cn



1001 Bishop Street #625 | Honolulu, HI 96813  
866-295-7282 | [aarp.org/hi](http://aarp.org/hi) | [hiaarp@aarp.org](mailto:hiaarp@aarp.org) |  
[Twitter.com/aarphawaii](https://twitter.com/aarphawaii) | [facebook.com/aarphawaii](https://facebook.com/aarphawaii)

**The State Legislature  
Senate Committee on Ways and Means  
Senate Committee on Judiciary  
Tuesday, April 1, 2025  
Conference Room 211, 10:00 a.m.**

TO: The Honorable Donovan Dela Cruz, Chair  
The Honorable Karl Rhoads, Chair  
FROM: Keali'i S. López, State Director  
RE: Support for H.B. 1064, HD2, SD1 Relating to Fire Protection

Aloha Chairs Dela Cruz and Rhoads, and Members of the Committees:

I am Keali'i Lopez, State Director for AARP Hawai'i. AARP is a nonprofit, nonpartisan, social impact organization dedicated to empowering people fifty and older to choose how they live as they age. We advocate at the state and federal level for the issues that matter most to older adults and their families. On behalf of our nearly 135,000 members statewide, thank you for the opportunity to share our testimony.

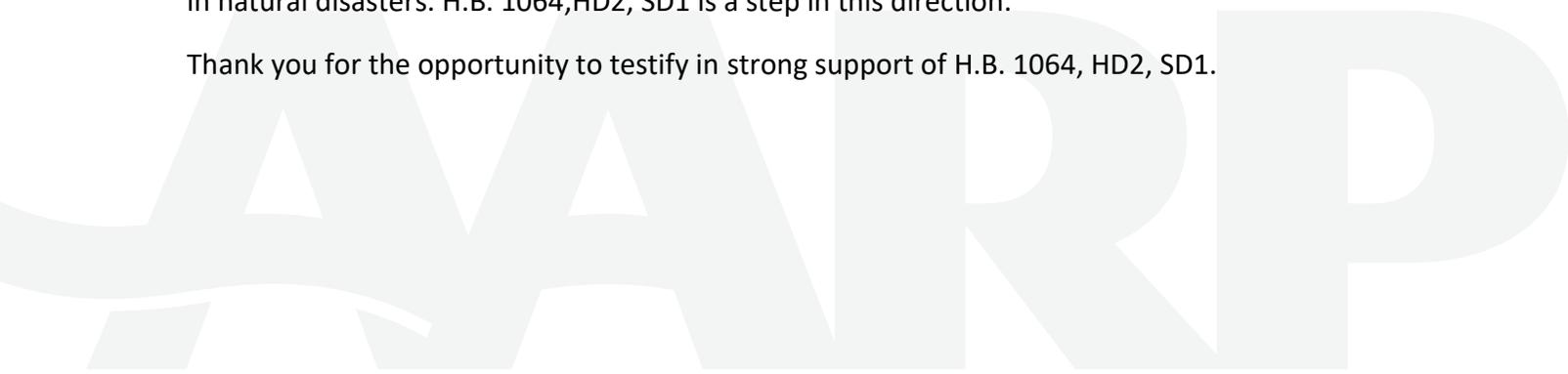
**AARP strongly supports H.B. 1064, HD2, SD1 which effectuates the recommendations of the "Phase 3" Forward-Looking Report by Fire Safety Research Institute on the August 2023 Maui wildfires and further clarifies the role of the State Fire Marshal.**

As you know, more than two-thirds of the victims in the Maui wildfire were 60 and older. Kūpuna are the most vulnerable population in every kind of natural disaster from wildfires to hurricanes to tsunami.

AARP believes policymakers should create and implement plans to address the needs of vulnerable populations like kupuna and people with disabilities. The State Fire Marshall's Office is one of the agencies that is in the best position to regularly conduct specific, comprehensive and evidence-based planning to address the needs of older adults, people with disabilities, and their caregivers in wildfires. They should be given the authority and tools to do this.

Hawaii's leaders need to encourage disaster resilience and reduce the number of kupuna deaths in natural disasters. H.B. 1064, HD2, SD1 is a step in this direction.

Thank you for the opportunity to testify in strong support of H.B. 1064, HD2, SD1.





**Hawaiian  
Electric**

**TESTIMONY BEFORE THE SENATE COMMITTEES ON  
WAYS & MEANS AND JUDICIARY**

**HB 1064, HD2, SD1  
Relating to Fire Protection**

Tuesday, April 1, 2025  
10:00 AM  
State Capitol, Conference Room 211

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

Dear Chairs Dela Cruz and Rhoads, Vice Chairs Moriwaki and Gabbard, and Members of the Committees,

My name is Jimmy D. Alberts and I am providing written testimony on behalf of Hawaiian Electric in support of HB 1064, HD2, SD1, 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.

In January, Hawaiian Electric 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 HB 1064, HD2, SD1. Thank you for this opportunity to submit written testimony.



Testimony of **Lahaina Strong**  
Before the Senate Committees on  
**Ways and Means & Judiciary**

In Consideration of House Bill No. 1064 HD2 SD1  
RELATING TO FIRE PROTECTION

To Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard, and the honorable members of the committees,

We are writing on behalf of Lahaina Strong, an organization deeply rooted in our community's resilience and advocacy. Originally formed in 2018 following the Hurricane Lane fire in Lahaina and revitalized after the devastating fires of August 8, 2023, Lahaina Strong has become the largest grassroots, Lahaina-based community organization, with over 35,000 supporters. Our mission is to amplify local voices and champion community-driven solutions, which are more critical than ever as we continue rebuilding and recovering.

Lahaina Strong, stands in **full support of House Bill 1064 HD2 SD1**, which builds on the progress made with the establishment of the State Fire Marshal position last year. This bill is essential for outlining the duties and staff responsibilities necessary to ensure the office is effective in preventing and mitigating wildfires statewide.

The devastation of the August 8, 2023, Lahaina wildfires made it painfully clear that our state must take proactive and thorough action to prevent such a tragedy from happening again. Strengthening the Fire Marshal's authority and ensuring proper oversight, enforcement, and mitigation efforts are critical to reducing fire risks across Hawai'i. From land management to fire code enforcement, the Fire Marshal's role is essential in ensuring our communities are protected before disasters strike. We cannot afford to delay—this bill is a necessary step toward a safer, more fire-resilient Hawai'i.

This measure addresses critical gaps in fire protection and coordination. It reflects many of the concerns raised since the tragedy and represents a meaningful step toward

ensuring that communities across Hawai'i are better protected. We fully **support House Bill 1064 HD2 SD1** and are committed to ensuring that what happened in Lahaina never happens elsewhere in Hawai'i.

Mahalo for your attention to this critical matter.

Sincerely,

Lahaina Strong



# Kamehameha Schools®

Senate Committee on Ways and Means

Senate Committee on Judiciary

Time: 10:00 a.m.

Date: April 1, 2025

Where: Conference Room 211

## TESTIMONY

By: Kā'eo Duarte

Vice President, 'Āina Pauahi

### **RE: HB1064, HD2, SD1 Relating to Fire Protection**

Aloha e nā Luna Ho'omalua Dela Cruz, Rhoads, nā Hope Luna Ho'omalua Moriwaki, Gabbard, a me nā Lālā o nā Kōmike.

Kamehameha Schools appreciates this opportunity to **support** HB1064, HD2, SD1.

We are in support of this bill which aims to implement the recommendations in Phase 3 of the Fire Safety Research Institute. 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.

**Aloha Chair Dela Cruz, Chair Rhoads, Chair Hashem, Vice-Chair Moriwaki, Vice-Chair Gabbard and Members of the Committee,**

My name is Matt Chalker, and I am submitting testimony on behalf of the Wildfire Safety Advocates of Waikōloa, a community-based organization dedicated to reducing wildfire risk and improving wildfire safety across Hawaii Island. We strongly support HB1064 HD2 SD1, a measure that represents a significant step forward in addressing the growing wildfire threats facing our state.

HB1064 seeks to enhance the authority, capabilities, and structure of the Office of the State Fire Marshal, ensuring a more coordinated and effective approach to fire prevention and wildfire readiness statewide. Key provisions we strongly support include:

- **Statewide Coordination and Standards:** By centralizing authority and establishing minimum fire safety standards, HB1064 ensures consistency while allowing counties to adopt stricter measures tailored to their unique needs. This approach is essential to address areas like Waikōloa Village, where invasive vegetation and dangerous utility lines exacerbate wildfire risks.
- **Defensible Space Requirements:** Creating statewide defensible space regulations will empower homeowners and communities to take proactive measures to mitigate fire hazards. These efforts are vital in reducing fire intensity and improving safety for first responders.
- **Data-Driven Policies:** The requirement for regular statistical reporting on fire risks and responses will enable evidence-based decision-making, ensuring resources are allocated effectively and efficiently.

Hawaii is facing escalating wildfire risks due to invasive grasses, prolonged droughts, and aging infrastructure. The devastating Lāhainā wildfires are a tragic reminder of what can happen when fire safety measures fall short. Notably, the second Attorney General's report specifically cites Waikōloa Village as having an even greater risk of wildfire than Lāhainā. Waikōloa Village has also been highlighted as having some of the state's most dangerous utility lines from a wildfire perspective. Hawaiian Electric's data shows that mitigating these lines is not only essential but also cost-effective, offering a clear opportunity for impactful action.

HB1064 provides the framework necessary to address these risks comprehensively. By equipping the Office of the State Fire Marshal with the tools and authority needed to lead wildfire prevention efforts, this bill ensures that Hawaii can take meaningful steps to protect lives, property, and natural resources.

We respectfully urge this committee to pass HB1064 with the funding and support necessary to implement it effectively. The Wildfire Safety Advocates of Waikōloa are committed to collaborating with state and local partners to build a safer and more resilient Hawaii. Together,



**WILDFIRE SAFETY  
ADVOCATES**  
WAIKOLOA · HAWAII

## Testimony in Support of HB1064 HD2 SD1

3/31/2025

CONTACT: [wildfirewaikoloa@gmail.com](mailto:wildfirewaikoloa@gmail.com)

we can prevent future tragedies and create a legacy of safety for our keiki and future generations.

Mahalo for your time and consideration of this critical issue. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

**Matt Chalker**

Wildfire Safety Advocates of Waikōloa



**HB-1064-SD-1**

Submitted on: 3/29/2025 9:59:56 AM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Shay Chan Hodges    | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard and Members of the Committees,

I am writing in full support of House Bill 1064 HD2 SD1, which builds on the progress made with the establishment of the State Fire Marshal position last year. This bill is critical in defining the duties and responsibilities needed to ensure the office is effective in preventing and mitigating wildfires statewide.

The devastating fire in Lahaina made it clear that Hawai‘i must take urgent steps to strengthen fire prevention and response efforts. HB1064 HD2 SD1 addresses key gaps in coordination and preparedness, reflecting many of the concerns raised since the tragedy. This measure is a necessary step toward ensuring communities across the state are better protected.

We urge your support for HB1064 HD2 SD1 and remain committed to ensuring that what happened in Lahaina never happens elsewhere in Hawai‘i.

Mahalo for your time and commitment to Lahaina’s recovery.

Sincerely,

Shay Chan Hodges

Maui

**HB-1064-SD-1**

Submitted on: 3/29/2025 3:38:39 AM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Christy Shaver      | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard and Members of the Committees,

I am writing in full support of House Bill 1064 HD2 SD1, which builds on the progress made with the establishment of the State Fire Marshal position last year. This bill is critical in defining the duties and responsibilities needed to ensure the office is effective in preventing and mitigating wildfires statewide.

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We urge your support for HB1064 HD2 SD1 and remain committed to ensuring that what happened in Lahaina never happens elsewhere in Hawai‘i.

Mahalo for your time and commitment to Lahaina’s recovery.

Sincerely,

Christy

Lahaina

**HB-1064-SD-1**

Submitted on: 3/29/2025 11:40:09 AM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Nicki Tedesco       | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard and Members of the Committees,

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We urge your support for HB1064 HD2 SD1 and remain committed to ensuring that what happened in Lahaina never happens elsewhere in Hawai‘i.

Mahalo for your time and commitment to Lahaina’s recovery.  
sincerly,

Nicole Tedesco

**HB-1064-SD-1**

Submitted on: 3/29/2025 1:14:35 PM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Kathy Lomeli        | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard and Members of the Committees,

I am writing in full support of House Bill 1064 HD2 SD1, which builds on the progress made with the establishment of the State Fire Marshal position last year. This bill is critical in defining the duties and responsibilities needed to ensure the office is effective in preventing and mitigating wildfires statewide.

The devastating fire in Lahaina made it clear that Hawai‘i must take urgent steps to strengthen fire prevention and response efforts. HB1064 HD2 SD1 addresses key gaps in coordination and preparedness, reflecting many of the concerns raised since the tragedy. This measure is a necessary step toward ensuring communities across the state are better protected.

We urge your support for HB1064 HD2 SD1 and remain committed to ensuring that what happened in Lahaina never happens elsewhere in Hawai‘i.

Mahalo for your time and commitment to Lahaina’s recovery.

Sincerely,

Kathy Lomeli

**HB-1064-SD-1**

Submitted on: 3/30/2025 2:58:36 PM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Stacey Alapai       | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard and Members of the Committees,

I am writing in full support of House Bill 1064 HD2 SD1, which builds on the progress made with the establishment of the State Fire Marshal position last year. This bill is critical in defining the duties and responsibilities needed to ensure the office is effective in preventing and mitigating wildfires statewide.

The devastating fire in Lahaina made it clear that Hawai‘i must take urgent steps to strengthen fire prevention and response efforts. HB1064 HD2 SD1 addresses key gaps in coordination and preparedness, reflecting many of the concerns raised since the tragedy. This measure is a necessary step toward ensuring communities across the state are better protected.

We urge your support for HB1064 HD2 SD1 and remain committed to ensuring that what happened in Lahaina never happens elsewhere in Hawai‘i.

Mahalo for your time and commitment to Lahaina’s recovery.

**HB-1064-SD-1**

Submitted on: 3/30/2025 7:12:24 PM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Kazuo Flores        | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard and Members of the Committees,

I am writing in full support of House Bill 1064 HD2 SD1, which builds on the progress made with the establishment of the State Fire Marshal position last year. This bill is critical in defining the duties and responsibilities needed to ensure the office is effective in preventing and mitigating wildfires statewide.

The devastating fire in Lahaina made it clear that Hawai‘i must take urgent steps to strengthen fire prevention and response efforts. HB1064 HD2 SD1 addresses key gaps in coordination and preparedness, reflecting many of the concerns raised since the tragedy. This measure is a necessary step toward ensuring communities across the state are better protected.

We urge your support for HB1064 HD2 SD1 and remain committed to ensuring that what happened in Lahaina never happens elsewhere in Hawai‘i.

Mahalo for your time and commitment to Lahaina’s recovery.

Mahalo,

Kazuo Flores

**HB-1064-SD-1**

Submitted on: 3/30/2025 6:55:18 AM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>         |
|---------------------|---------------------|---------------------------|------------------------|
| Richard Ho          | Individual          | Support                   | Written Testimony Only |

Comments:

Aloha Chair Dela Cruz, Chair Rhoads, Vice Chair Moriwaki, Vice Chair Gabbard and Members of the Committees,

I am writing in full support of House Bill 1064 HD2 SD1, which builds on the progress made with the establishment of the State Fire Marshal position last year. This bill is critical in defining the duties and responsibilities needed to ensure the office is effective in preventing and mitigating wildfires statewide.

The devastating fire in Lahaina made it clear that Hawai‘i must take urgent steps to strengthen fire prevention and response efforts. HB1064 HD2 SD1 addresses key gaps in coordination and preparedness, reflecting many of the concerns raised since the tragedy. This measure is a necessary step toward ensuring communities across the state are better protected.

We urge your support for HB1064 HD2 SD1 and remain committed to ensuring that what happened in Lahaina never happens elsewhere in Hawai‘i.

Mahalo for your time and commitment to Lahaina’s recovery.

Sincerely,

Richard Ho

**HB-1064-SD-1**

Submitted on: 3/29/2025 9:23:00 PM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Sarah Biggs         | Individual          | Support                   | Written Testimony<br>Only |

Comments:

This measure is a necessary step toward ensuring communities across the state are better protected.

**HB-1064-SD-1**

Submitted on: 3/29/2025 2:10:12 PM

Testimony for WAM on 4/1/2025 10:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| mary drayer         | Individual          | Support                   | Written Testimony<br>Only |

Comments:

august 2023 Lahaina has shown how important fire protection is

mahalo

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

Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair, and  
Members of the Senate Committee on Judiciary

Date: March 30, 2025

From: Roberta Chun

RE: House Bill 1064, H.D. 2, S.D. 1, Relating to Fire Protection.  
Hearing – April 1, 2025, 10:00 AM

I am Roberta Chun, a concerned citizen strongly **opposed** to H.B. 1064. The absence of a State Fire Council (SFC) representative as a voting member on the State Fire Marshal Selection Commission (SFMSC) is a gross oversight. The State Fire Council is made up of the most skilled and up-to-date personnel with firsthand knowledge of fire prevention in the State.

This bill is in response to the “Phase 3” Forward Looking Report by the Fire Safety Research Institute on the 2023 Maui wildfires. This report lists its first priority on the State and County levels as action planning and accountability. This bill does not identify the National Incident Management System (NIMS) and Incident Command System (ICS) that centers around planning, training and accountability. All Hawaii fire departments have been following NIMS for more than twenty years when the President directed the Secretary of Homeland Security to develop and administer NIMS on February 28, 2003. Yet communication was lost at the NIMS level due to the lack of preparedness and training.

The “Phase 3” report follows the NIMS framework identifying the major components: preparedness, communications and information management, resource management, command and management, and ongoing management and maintenance, including electronic mapping.

NIMS represents a core set of doctrine, concepts, principles, terminology, and organizational processes that enables effective, efficient and collaborative incident management. All Federal departments and agencies are required to adopt and use NIMS as they carry out their responsibilities in response to incidents, as does the State of Hawaii. NIMS adoption and compliance is also a condition of Federal preparedness assistance. ICS is one component of the larger NIMS framework.

Hawaii county fire departments are the backbone with expertise of fire incident management in similar but unique jurisdictions. Preparedness planning as described in NIMS between the public and private sector would have made a significant impact in the outcome of the destruction that took place by the Lahaina fire.

HRS Chapter 46, Section 4, grants counties the power to designate and define zoning districts and specifically outlines the powers of counties regarding zoning, including the ability to prescribe rules, regulations, and administrative procedures for enforcing zoning ordinances. Counties are responsible for enforcing the use classification districts adopted by the Land Use Commission

(LUC) and the restrictions on use and conditions relating to agricultural districts. The counties' responsibility for enforcement includes taking necessary actions against violators of land use district classifications and land use district regulations, except those relating to conservation districts.

As it stands, county fire departments have no jurisdiction to enforce the fire code on State or other public real property. In 2024, 22 public schools were holding classes with inoperable fire alarm systems. Over 60% of Hawaii public schools have fire alarm issues. Other State buildings are no different. The State is the owner and responsible party in enforcing the fire code on publicly owned lands. The SFM must have enforcement powers to sanction State departments who fail to comply with the fire code, and the counties must have enforcement powers to sanction State departments who fail to comply with the fire code.

H.B. 1064 is a poorly formulated cumbersome bill outlining duties to the OSFM that conflict with existing required policies and procedures and are redundant in others. This bill in and of itself is its own best testimony showing gross oversight by not including representatives of the SFC on the SFMSC. The SFMSC would best carry out its duty to the people of Hawaii by consisting of five voting members: two representatives of the SFC appointed by the SFC; one appointed by the governor and approved by the Senate; one by the Senate and one by the House. Failing to recognize the SFC members as the experts in fire safety is not acceptable.