

A Bill for an Act Relating to the State Fire Council.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that in 1979, the legislature abolished the state fire marshal's office and created the state fire council, which comprises the four county fire chiefs and is administratively attached to the department of labor and industrial relations. The goal of the state fire council is to develop and maintain a comprehensive fire service emergency management network for the protection of life, property, and the environment throughout the State. The state fire council is tasked with reviewing and adopting the state fire code, providing administrative oversight of the reduced ignition propensity cigarettes program, providing assistance with the application for and administration of federal grants for the fire service, assisting with and coordinating the statewide delivery of fire training programs, coordinating the collection of fire data, and supporting contingency planning needs for fire fighters. The state fire council is required to establish statewide qualifications for testing, certifying, and credentialing individuals who perform maintenance and testing of portable fire extinguishers, fire protection systems, and fire alarm systems. The state fire council may also advise the governor and the legislature on matters related to fire prevention, fire protection, and life safety. The state fire council is a voting member of the state building code council, whose responsibilities are delineated in section 107-24, Hawaii Revised Statutes.

The legislature further finds that the Hawaii state aircraft rescue fire fighting unit and the division of forestry and wildlife of the department of land and natural resources communicate and collaborate with the county fire departments on a regular basis during emergency incidents and non-emergency administrative matters. The two agencies provide specialty expertise and equipment in emergent and non-emergent environments that the county fire departments do not possess due to training, funding, or mission requirements. The Hawaii state aircraft rescue fire fighting unit and the division of forestry and wildlife of the department of land and natural resources could provide unique perspectives to facilitate accomplishment of the state fire council's functions as described in section 132-16, Hawaii Revised Statutes. The potential results are greater insight into Hawaii's fire risk and improvements relating to the protection of persons and property against fire.

Accordingly, the purpose of this Act is to add to the membership of the state fire council, and to the membership of advisory committees that the council may appoint, representatives from the Hawaii state aircraft rescue fire fighting unit and the division of forestry and wildlife of the department of land and natural resources to reflect all non-federal fire fighting agencies in the State.

SECTION 2. Section 132-16, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

“(a) There is established a state fire council, which shall be placed within the department of labor and industrial relations for administrative purposes. The state fire council shall consist of the fire chiefs of the counties[;], the fire chief of the Hawaii state aircraft rescue fire fighting unit, and a representative of the division of forestry and wildlife of the department of land and natural resources. The state fire council may appoint an advisory committee to assist it in carrying out its functions under this chapter. The advisory committee may include the heads of the various county building departments, a licensed architect

recommended by the Hawaii Society of the American Institute of Architects, a licensed electrical engineer and a licensed mechanical engineer recommended by the Consulting Engineers Council of Hawaii, a representative of the Hawaii Rating Bureau, a representative of the Hawaii ~~[firefighters association,]~~ Fire Fighters Association, representatives of the county fire departments, a representative of the Hawaii state aircraft rescue fire fighting unit, a representative of the division of forestry and wildlife of the department of land and natural resources, and ~~[such]~~ other members of the public as the state fire council may determine can best assist it. The state fire council shall elect a chairperson from among its members.”

2. By amending subsection (c) to read:

“(c) The state fire council may also:

- (1) Appoint advisory committees ~~[comprised of]~~ comprising representatives from each county fire department, a representative of the Hawaii state aircraft rescue fire fighting unit, and a representative of the division of forestry and wildlife of the department of land and natural resources to assist in drafting the state fire code and coordinating statewide training, data collection, and contingency planning needs for firefighters;
- (2) Advise and assist the county and state fire departments where appropriate~~[-]~~; may prescribe standard procedures and forms relating to inspections, investigations, and reporting of fires~~[-]~~; may approve plans for cooperation among the county and state fire departments~~[-]~~; and may advise the governor and the legislature with respect to fire prevention and protection, life safety, and any other functions or activities for which the various county and state fire departments are generally responsible; and
- (3) Establish, in conformance with the adopted state fire code and nationally recognized standards, statewide qualifications and procedures, to be administered by the county fire departments, for testing, certifying, and credentialing individuals who perform maintenance and testing of portable fire extinguishers, water-based fire protection systems, other fire protection systems, private fire hydrants, and fire alarm systems; provided that the county fire departments may establish and charge reasonable certification fees.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 29, 2023.)