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STATE FIRE COUNCIL (SFC) FISCAL YEAR (FY) 2024-2025 SPECIAL MEETING MINUTES

Date and Time: February 25, 2025, 8:00 a.m.

Place: Meeting held via audioconferencing pursuant to HRS § 92-3.7. Remote meeting by interactive conference technology; notice; quorum. Effective: January 1, 2022

Present:

Kazuo Todd	SFC Chair and Fire Chief of the Hawaii County Fire Department (HCFD), Hawaii County
Sheldon Hao	SFC Vice Chair and Fire Chief of the Honolulu Fire Department (HFD) City and County of Honolulu
Bradford Ventura	SFC Member and Fire Chief of the Maui Department of Fire and Public Safety (MFD), Maui County
Michael Gibson	SFC Member and Fire Chief of the Kauai Fire Department (KFD), Kauai County
Michael Walker	SFC Member and Fire Protection Forester Division of Forestry and Wildlife (DOFAW) Department of Land and Natural Resources (DLNR) State of Hawaii
Martinez Jacobs	SFC Member and Airports Fire Chief Airports Division, Transportation Department (ARFF), State of Hawaii Joined at about 9:45 a.m.
	Hiroiyuki Takei Deputy Attorney General (AG) Department of the Attorney General, State of Hawaii
Gary Lum	SFC Administrative Specialist III (AS)

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Carol Suzuki Secretary

Absent:

Socrates Bratakos SFC Administrative Specialist II

Michael O'Sullivan Reduced Ignition Propensity Cigarette (RIPC) Administrator

Guests:

Pao-Chi Hwang Battalion Chief, Honolulu Fire Prevention Bureau
Honolulu Fire Department

Mike Lantier Retired Fire Marshal
California

Hanna Lesiak Member of the public, observing

Li-Ann Yamashiro Deputy Attorney General (AG)
Department of the Attorney General, State of Hawaii

Mark Ladao joined at about 9:45 a.m.

I. Introduction

A. The meeting was called to order at 8:03 a.m.

B. Attendees introduced themselves; there were no public comments.

C. Approval of Agenda

Motion: To approve the February 25, 2025 agenda as written.

All members present voted in favor of accepting the agenda as written. The motion was carried.

II. Old Business

A. Statewide Fireworks database project by Department of Law Enforcement.
Honolulu Fire Prevention Bureau Battalion Chief Hwang will provide an update on the project.

Chief Hwang reported that they've been working with the Department of Law Enforcement (DLE) on a statewide database to track fireworks licenses, fireworks display permits, and in the future, to track commercial fireworks inventories. DLE hired consultants to build a web interface to allow people to apply for permits and licenses. The DLE point of contact for the implementation of the database is Brandon Asuka. The database is to be shared by all law enforcement entities to include the county, state, and federal agencies to access and retrieve fireworks related data. As stakeholders, all agencies are invited to collaborate and build the

user database with the first version tentatively available by the end of March 2025. All jurisdictions are asked to submit the name of their fireworks point of contact to Asuka with a copy to Chief Hwang. AS Lum asked that all state and local agencies email him with the point of contact, and he will forward the information to Chief Hwang.

B. State Fire Marshal (SFM) appointment.

The board moved into executive session at about 8:16 a.m. to discuss the Permitted Interaction Group's (PIG) report and other items regarding the interview and hiring process to select an SFM.

Motion: To accept report from the PIG that has vetted applicants for the SFM position to seven viable candidates for the interview process.

All members present voted in favor of accepting the motion; the motion was carried.

Motion: To move into executive session to discuss the report of the PIG, that was formed on January 27, 2025, regarding hiring of a SFM, and the questions and methods during the interview and selection process.

All members present voted in favor of accepting the motion; the motion was carried.

At 8:16 a.m. the meeting moved into Executive Session.

1. Decision on potential acceptance of the report by the PIG that was formed at the SFC Special Meeting on February 3, 2025; to continue with the appointment process for the SFM position and further screening of SFM applicants.

The SFC is moving forward in the process for the SFM position.

2. Report from the PIG that was formed at the SFC 3rd Quarter Meeting on January 27, 2025, on procedures for the hiring process for the SFM, including practices from other jurisdictions and interview questions.

In executive session, the SFC selected questions from the PIG's report to be used in the interview process, which will be voted on six days from today.

Motion: To accept the PIG's report with seven viable candidates, and send letters to the remaining applicants to thank them for applying. Chair Todd will work with Carol to send out letters. Also, Carol is delegated to contact candidates to schedule interviews.

All members present voted in favor of accepting the motion; the motion was carried.

Motion: To set March 7, 2025, at 3:30 p.m., to vote on the Permitted Interaction Group's report that was received in the executive session held on February 25, 2025, to accept the process for hiring a State Fire Marshal. This will be a 30-minute meeting for the sole purpose of accepting the PIG's report.

All members present voted in favor of accepting the motion; the motion was carried.

Motion: To schedule interviews to be conducted on March 24, 2025, starting at 8:00 a.m., and an alternate date of March 21, 2025.

All members present voted in favor of accepting the motion; the motion was carried.

Motion: To schedule follow up interviews of candidates on April 14, 2025, if needed.

All members present voted in favor of accepting the motion; the motion was carried.

- C. SFC may discuss and adopt the general positions and policy direction on fire-related legislative topics, subject matters and measures, including the bills in II.D. or other fire related bills, the State Fire Marshal, fire safety, the state fire and building codes, fireworks, firefighters, and the county fire departments.

Chief Jacobs drafted a general statement for response to all fire-related legislative topics. He will send to all members for review and comments.

- D. Discussion of current status of fire related bills and future steps to be taken on the bills:

1. HB 1, amends responsibilities of the State Building Code Council. HSG decision making 2-5, 9AM.

Status: Deferred by the House Committee on Housing (HSG) on Feb 5, 2025.

2. HB 55, converts certain fireworks-related offenses from misdemeanors to class C felonies.

Status: No hearing scheduled.

3. HB 83, increases penalties for certain firework violations and establishes higher penalties for any subsequent violation.

Status: No hearing scheduled.

4. HB 113, requires certain owners and occupants of properties located in hazardous fire areas to maintain effective firebreaks within thirty feet of the property and to practice other fire prevention activities.

Status: SFC supports this bill, but believes enforcement will be problematic; referred to the House Committee on Finance (FIN) on February 3, 2025.

5. HB 187, increases fines that may be assessed against certain fireworks-related violation

Status: No hearing scheduled.

6. HB 200, imposes a statewide limitation on consumer fireworks, except by permit for use at cultural events.

Status: No hearing scheduled.

7. HB 201, supplements salary of the State Fire Marshal.

Status: SFC supports this bill. The measure passed its 2nd reading, and was referred to the House, Public Safety (PBS) Committee on January 30, 2025.

8. HB 361, requires the Hawaii Emergency Management Agency to: (1) Adopt the National Incident Management System as the standard for all incident management and emergency response operations; (2) Complete an after-action review for all significant emergency incidents or exercises; (3) Develop and manage position task books; (4) require the use of standardized Incident Command System forms; (5) Maintain accreditation through the Emergency Management Accreditation Program; and (6) Define specific roles and responsibilities for all Incident Command System and emergency operations center positions. Expands training and education qualifications and responsibilities for the Administrator of Emergency Management and county-level administrators or directors of emergency management. Amends the contents of the state comprehensive emergency management plan.

Status: No hearing scheduled.

9. HB 367, allows for building permit exemptions for certain kinds of activities.

Status: SFC is concerned about potential abuse, referred to the House Committee on Judiciary and Hawaiian Affairs (JHA) on February 14, 2025.

10. HB 415, amends the sunset date of Act 83, Session Laws of Hawaii 2012, to repeal section 46-19.8, Hawaii Revised Statutes, on June 29, 2025.

Status: Deferred by HSG on February 5.

11. HB 608, Establishes the shipping container inspection program and shipping container inspection program special fund. Amends the definitions of "aerial devices" and "fireworks" within state fireworks law.

Status: No hearing scheduled.

12. HB 627, appropriates funds to the Department of Education for positions to implement and maintain school safety measures.

Status: SFC supports, scheduled to be heard in the FIN committee on February 20, 2025.

13. HB 745, beginning 1/1/2028, makes the most recent Hawaii state building codes adopted by the state building code council supersede all existing county building codes and thereafter allows counties to remove requirements of the state building codes or add requirements to the state building codes only with prior council approval. Repeals the counties' authority to adopt, amend, and update the Hawaii state building codes for their respective county building codes.

Status: Referred to the FIN committee on February 14, 2025.

14. HB 806, appropriates funds for the Honolulu Police Department and Department of Law Enforcement to conduct sting operations on Oahu to enforce fireworks ordinances or laws. Authorizes a court to order the forfeiture of one-half of any pension of an Employees' Retirement System member, former member, or retirant upon conviction of the individual for a felony related to certain uses of prohibited fireworks.

Status: Referred to the FIN committee on February 14, 2025.

15. HB 827, expands workers' compensation medical benefits for firefighters to include coverage for adenocarcinoma or mesothelioma of the respiratory system; cancer of the buccal cavity, colon, pharynx, and thyroid; and malignant melanoma. Specifies that an employer may prove that the cancer or disease was not associated with the firefighting duties to deny medical benefits under workers' compensation law.

Status: Referred to the FIN committee on February 12, 2025.

16. HB 1064, 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.

Status: SFC supports this bill; measure referred to the FIN committee on February 14, 2025.

Bill HB 1064 was heard in the Finance committee on February 24, 2025. Measure passed yesterday without amendments to leave SFC in DLIR.

SFC member Ventura asked about HB 1076, relating to the Climate Mitigation and Resiliency Special Fund. SFC had not taken notice of this bill that Honold asked about.

17. HB 1280, requires the State Fire Marshal to convene an electric vehicle fires working group to examine the impact of electric vehicle fires in residential, commercial, and business properties that have confined parking structures.

Status: No hearing scheduled.

18. HB 1483, establishes an adjudication system and procedures to process fireworks infractions. Amends multiple definitions and penalties for fireworks offenses, including heightened penalties if another person suffers substantial bodily injury, serious bodily injury, or death as a result of the fireworks offenses. Establishes various criminal offenses and penalties related to fireworks or articles pyrotechnics. Appropriates funds.

Status: SFC supports the bill; referred to the FIN committee on February 14, 2025.

19. SB 11, requires the Department of Land and Natural Resources to create and annually update a wildfire hazard map.

Status: SFC opposes this bill, referred to the WAM/JDC committees on February 14, 2025.

20. SB 17, establishes the Wildfire Mitigation Working Group. Requires a report to the Legislature.

Status: No hearing scheduled.

21. SB 43, requires the State Building Code Council to assess the financial impact of the adoption of a code or standard on single-family and multi-family home.

Status: No hearing scheduled.

22. SB 130, requires government entities to seek reimbursement for all or a portion of search or rescue expenses for persons who require rescue after leaving a hiking trail to enter an area closed to the public or hiking on a trail closed to the public, and there is a sign giving notice of the closure.

Status: SFC opposes this bill. The measure was referred to the joint Senate committees on the Judiciary and the Ways and Means (JDC/WAM) on February 6, 2025.

23. SB 223, requires certain owners and occupants of properties located in hazardous fire areas to maintain effective firebreaks within thirty feet of the property and to practice other fire prevention activities.

Status: SFC supports the bill, but believes enforcement will be problematic. The measure was referred with amendments to the JDC/WAM committees on February 12, 2025.

24. SB 302, amends the definition of "cultural". Prohibits the use of consumer fireworks except for cultural use by permit. Repeals the wording of section 132D-3(1), HRS, that generally allows the use of consumer fireworks without a permit on New Year's Eve, New Year's Day, and the Fourth of July.

Status: SFC supports the bill. The measure was referred with amendments to the JDC committee on February 12, 2025.

25. SB 303, amends the sunset date of Act 83, Session Laws of Hawaii 2012, to repeal section 46-19.8, Hawaii Revised Statutes, on June 29, 2025.

Status: No hearing scheduled.

26. SB 376, establishes a refundable income tax credit for taxpayers who construct or install improvements to their residence that increase the residence's fire safety rating as calculated by the taxpayer's homeowner's insurance policy.

Status: SFC supports the bill. The measure was referred to the WAM committee on February 14, 2025.

27. SB 436, provides that no person shall serve as State Fire Marshal for more than 3 terms.

Status: WAM committee decision making on February 14, 2025.

28. SB 476, increases fines that may be assessed against certain fireworks-related violations.

Status: Deferred by the senate committee on Public Safety and Military Affairs (PSM) on February 5, 2025.

No hearing was scheduled for the following bills:

29. SB 508, establishes the hike safe card program and search and rescue special fund to be administered by the Department of Land and Natural Resources. Requires government entities to seek reimbursement for all or a portion of search or rescue expenses when the person or entity knowingly enters state, county, or private property, knowingly enters a hiking trail that is closed to the public, or violates applicable laws, provided that the closure is posted by sign, barricade, or other device that gives reasonable notice of the closure. Exempts persons who possess a hike safe card from search and rescue cost reimbursement, under certain conditions. Requires counties and the State Fire Council to adopt ordinances or rules as necessary to pursue reimbursements.
30. SB 512, requires the State Fire Marshal to establish a Statewide Firefighting Helicopter Program. Appropriates funds for the State Fire Marshal to obtain helicopters, facilities equipment, drones, and supplies; hire and train staff; and do other things necessary to ensure that the Program is ready to begin providing aerial firefighting services on 7/1/2026.
31. SB 514, establishes the Hawaii Wildfire Relief Fund and Hawaii Wildfire Relief Fund Corporation within the Department of Commerce and Consumer Affairs.
32. SB 554, requires claims of post-traumatic stress disorder suffered by first responders to be compensable under workers' compensation under certain conditions if the post-traumatic stress disorder resulted from the first responder acting within the course and scope of the first responder's employment.
33. SB 555, creates a presumption for workers' compensation purposes that diseases of the heart in firefighters and law enforcement officers were proximately caused by and resulted from the nature of the person's employment if certain conditions are met. Exempts injuries caused by disease of the heart from certain time limitations applicable to workers' compensation claims. Establishes a process for regular physical examinations of firefighters and law enforcement officers to reduce heart disease risks.
34. SB 611, prohibits the sale, importation, personal use, and commercial use of all fireworks, except consumer fireworks. Removes permitting requirements for consumer fireworks.

35. SB 649, requires the Department of Transportation to inspect personal aircraft that enter the State and land at state airports for the purpose of preventing the unauthorized transportation of fireworks and article pyrotechnic into the State. Requires the Department to coordinate with an appropriate law enforcement agency or county fire department to dispose of prohibited fireworks and articles pyrotechnic.
36. SB 871, designates mandatory minimum periods of imprisonment for individuals with previous arson convictions. Requires additional penalties for arson crimes that endanger vulnerable areas. Requires restitution for victims of arson who experienced property damage.

Status: SFC supports the bill. The JDC committee will hold public decision making on February 21, 2025.

37. SB 999, repeals all permissible uses of consumer fireworks and makes conforming amendments to the Fireworks Control Law. Establishes civil penalties for the use and sale of consumer fireworks, including nuisance abatement proceedings and forfeiture of assets used in the commission of the illegal use or sale of consumer fireworks. Establishes the Firework Forfeiture Special Fund to deposit asset forfeiture proceeds and to provide for community safety education programs.

Status: SFC supports the bill. Measure was referred with amendments to the JDC/WAM committees on February 14, 2025.

38. SB 1102, establishes that the Chief of the State Aircraft Rescue Fire Fighting Unit of the Airports Division of the Department of Transportation shall serve not more than three terms of four years each.

Status: SFC opposes the bill. Measure was referred with amendments to the JDC committee on February 12, 2025.

39. SB 1110, companion bill to HB 361.

Status: No hearing scheduled.

40. SB 1177, establishes within the Office of the State Fire Marshal the Office of the State Search and Rescue Coordinator. Provides for the authority and duties of the State Search and Rescue Coordinator. Establishes the search and rescue special fund. Appropriates moneys.

Status: No hearing scheduled.

41. SB 1234, amends multiple definitions and penalties for fireworks offenses, including heightened penalties if another person suffers substantial bodily injury, serious bodily injury, or death as a result of the fireworks offenses; establishes criminal offenses of general fireworks or articles pyrotechnic prohibitions in the first and second degree; sending or receiving fireworks or articles pyrotechnic by air delivery; distributing fireworks or articles pyrotechnic to non-permit holder; removal or extraction of pyrotechnic contents;

consumer fireworks prohibitions; refusal to provide identification; and violating requirements of carrier; establishes an adjudication system and procedures to process fireworks infractions; and makes an appropriation.

Status: SFC supports this bill. The WAM committee passed the measure on February 18, 2025.

42. SB 1383, companion bill to HB 1064, move SFM to DoD.

Status: SFC supports this bill. The WAM/JDC committees referred the bill with amendments on February 7, 2025.

- E. SFC may discuss and decide whether, and to whom, it will delegate or redelegate the authority to track legislative measures, draft testimony, and discuss and address legislative matters.

III. Discussion of SFC Fourth Quarter Meeting including scheduling and topics.

Motion: To set May 6, Tuesday, for the SFC's 4th quarter meeting at 9:00 a.m., in person.

IV. Adjournment

Hearing no other business to discuss, the meeting was adjourned by Chair Todd at 10:04 a.m.



KAZUO TODD
Chair