

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

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

Date and Time: February 3, 2025, 1:00 p.m.

Place: Meeting held in person and 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
Martinez Jacobs	SFC Member and Airports Fire Chief Airports Division, Transportation Department (ARFF), State of Hawaii
Michael Walker	SFC Member and Fire Protection Forester Division of Forestry and Wildlife (DOFAW) Department of Land and Natural Resources (DLNR) State of Hawaii
Hiroyuki Takei	Deputy Attorney General (AG) Department of the Attorney General, State of Hawaii
Gary Lum	SFC Administrative Specialist III (AS)

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Absent:

Socrates Bratakos	SFC Administrative Specialist II
Michael O'Sullivan	Reduced Ignition Propensity Cigarette (RIPC) Administrator
Carol Suzuki	Secretary

Guests:

Li-Ann Yamashiro	Deputy Attorney General (AG) Department of the Attorney General, State of Hawaii
David Rodriguez	Equal Opportunity Officer Department of Labor and Industrial Relations (DLIR) State of Hawaii
Stephen Logan	Adjutant General Department of Defense, State of Hawaii
Phillip Mallory	Deputy Adjutant General Department of Defense, State of Hawaii
Neal Mitsuyoshi	Brigadier General (Retired)/Military Support Office & Director for Legislative Affairs Department of Defense, State of Hawaii
K. Johnson	General public--no access to microphone and camera
Mark Ladao	Reporter for the Honolulu Star-Advertiser
Mike Lantier	Retired Fire Marshal Tiburon Fire District, California
S. Fernandez	Joined late in the meeting; was not introduced

Introduction

- A. Call to Order at 1:05 p.m.
- B. Introduction of Attendees and Public Comments

Attendees introduced themselves.

Major General (MG) Logan spoke on the location of the State Fire Marshal's office. Attorney General's office and his office worked on drafting the bill. He's testified at a House Committee and will be briefing Senate committees Public Safety and

Intergovernmental and Military Affairs (PSM) and Labor and Technology (LBT) today. He was asked to reach out to SFC for feedback.

HB 1064 is assigned to SFC members Jacobs and Walker
SB 1383 is assigned to SFC members Gibson and Hao, who are still reviewing the 66-page bill in its current form.

On SB 1383, MG Logan said migrating the State Fire Marshal's office to the Department of Defense (DOD) makes sense since he already has a repertoire of agencies he oversees. As an "attached agency", he takes care of administration, finances and contracts for the positions. One of the Governor's top ten priorities for the State is to implement the SFM's office. MG Logan thinks the SFM can operationalize faster if under DOD. DLIR is in favor of transferring the State Fire Marshal's office to the DOD.

Roberta Chun submitted testimony relating to the establishment of the State Fire Marshal's office. Her testimony was read by AS Lum. In summary, Ms. Chun was concerned about the procedures and some other things with regard to hiring the SFM.

C. Approval of the agenda.

Motion: To approve the February 3, 2025 meeting agenda.

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

II. Old Business

A. State Fire Marshal selection process.

Motion: To temporarily adjourn the meeting to move into Executive Session based on Section 92-5(a)(2), HRS.

All members present voted in favor of accepting the motion to temporarily adjourn the meeting. The motion was carried.

AS Lum proceeded to put attendees in the lobby until the executive session is over.

The special meeting resumed at _____ p.m.

Chair Todd summarized the executive session discussions as follows:

At this time, the SFC has received the PIG's report with seven names to continue in the process for interviews and the potential selection of the SFM. There are potential issues with SB 1064 and SB 1383 in terms of the hiring process implications. The SFC will track the bills' funding and final structure.

- B. A question was received from the Ways and Means (WAM) Committee via DLIR. The Governor's FY25 to 27 budget includes a \$15M appropriation for the State Highways and a DOD Fire Marshal position, and 22 (full time employee) FTE in the dept of land and natural resources. How will the SFC coordinate statewide fire protection efforts?

Motion: AS Lum proposes the following response to WAM, "The SFM will work to do the exact work and the SFC will support the efforts of the SFM, in general."

The SFC members unanimously voted to accept AS Lum's proposed language as a response to the question above.

Also discussed was how the Governor's budget aligns with the 2024 SFC's fire marshal's report to fund a fully staffed SFM's office.

The Governor's budget allocates \$2.2M for the SFM office within the DOD. According to the SFC's report to the Governor's office, \$4.4M to \$6.4M is needed. Draft a response that Governor's budget is less than half of what is needed. \$2.2M is a good start to launch an office. The funding and function are not yet aligned to achieve the Governor's vision. AS Lum was asked to draft a reply.

- C. Legislative bill discussion was paused to get to agenda item II.D.
- D. Chair Todd reported that bills were divided amongst the SFC members to review and approve drafted replies to the Legislature. AG Yamashiro suggested to further delegate and make a motion to address those bills that do not fit into one of the delegated bills, that are not tied to a bill. Delegate to have a board member answer those type of questions.

Motion: As a policy, SFC supports measures that promotes life safety, property conservation, and incident stabilization as it relates to emergencies in the State of Hawaii.

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

Chiefs Todd and Jacobs will work on language for standardized responses to legislative bills to be in line with the policy parameters. They will also draft function and purpose statements, to be discussed at the next SFC meeting.

Motion: The delegated board member is Chief Todd. He will respond to questions in line with the policy.

All members voted to approve the motion; the motion was carried.

To clarify, AS Lum drafts responses for bills with the SFC member assigned to the bill be the delegated person to work with AS Lum on replies. Any bill not assigned, will be

delegated to Chair Todd to work with AS Lum on replies. Bills that need further board input will be deferred until the next meeting.

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

C. Agenda Item C. is resumed. Discussion started with Item 20, Senate Bill 11, as Items 1 to 19 had been discussed at the January 27, 2025 third quarter meeting.

20. Senate Bill (SB) 11, requires the Department of Land and Natural Resources to create and annually update a wildfire hazard map. WTL/CPN hearing 2-7, 9:30AM.

Discussion: There are concerns with the bill as written; implications may lead to potential large and great fires.

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

Discussion: In general support the concept of discussing wild fire. Have concerns over language of bill which leaves out some people who are part of the mitigation working group. And report does not release until June, which is too long a wait for a report.

22. SB 48, 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.

Discussion: Same response as for HB 1 as bill changes language but does not address concerns about the bill as it relates to the Hawaii Revised Statutes (HRS).

23. SB 130, (SB 508) 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. WTL/PSM hearing 2-3, 1PM.

Discussion: Oppose, same language as last year.

24. 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. WTL/PSM hearing 2-3, 1PM.

Discussion: Mixed review. The SFC supports with concerns, companion to HB 113.

25. 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. PSM/TCA hearing 2-5, 3PM

Discussion: Bill needs rewording.

26. 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.

Discussion: Companion to HB 415; same language.

27. SB 309, requires periodic inspections of certain walls and appurtenances of buildings five or more stories in height.

Discussion: No comment, stop tracking bill. This bill concerns the Public Works or Building departments.

28. 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.

Discussion: General support.

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

Discussion: Term is not a factor if there is a commission or someone who evaluates the SFM. The SFC is neutral on this matter. SFC has questions, i.e., who evaluates the SFM? The organization and structure are still not clear to the SFC. Shelf SB 436 for now.

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

Discussion: Support, same general language as HB 87. Ck this number

31. 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.

Discussion: Response same as SB 130, similar language as last year.

32. 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.

Discussion: The SFC supports this bill, and recommends that the program moves to the Department of Forestry and Wildlife, who have existing firefighting programs to suppress wild fires.

33. SB 514, establishes the Hawaii Wildfire Relief Fund and Hawaii Wildfire Relief Fund Corporation within the Department of Commerce and Consumer Affairs.

Response: No response. Money to be used for catastrophic wild fires.

Similar to SB 111 and 1201, creates funds to support people in designated wildfire incidences. Not sure how program will be managed. Chair said out of our scope of duties, and he has no idea how it will work as fire fighters' scope of duty are more emergency response oriented.

34. 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.

Discussion: General support.

35. 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.

Discussion: General support.

36. SB 611, prohibits the sale, importation, personal use, and commercial use of all fireworks, except consumer fireworks. Removes permitting requirements for consumer fireworks.

Discussion: Bill needs rewording. The SFC does not support this bill as written as it removes the fireworks permitting processes and allows anyone to have consumer grade fireworks which reduces safety to the public and would potentially lead to more fires.

37. SB 632, requires the State Building Code Council to develop and adopt a green building standards code.

Discussion: Neutral, stop tracking.

38. 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.

Discussion: The SFC supports this bill as it aligns with the SFC's general policy.

39. 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.

Discussion: General support

40. 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.

Discussion: General support.

41. 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.

Discussion: The SFC has reservations on limiting the term or years of service, and questions whether or not SFC can have an opinion on this since it affects the SFC.

Motion: The SFC strongly disagrees with legislating how long a chief can serve in their position.

Members unanimously voted to accept the motion; the motion carried.

42. SB 1110, companion to HB 361.

Discussion: Same language as HB 361

43. 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.

Discussion: General support, and recommends moving the SFM office to Hawaii Emergency Management Agency (HI-EMA)

44. SB 1201, establishes the Wildfire Recovery Fund. Allows securitization for electric utilities.

Discussion: No comment, out of SFC purview. Utility company is asking for a fund to be created to pay for utility caused wild fire. The electric company is asking the Public Utilities Commission (PUC) to authorize a charge on our bills. If money not used within ten years; it returns to customers with interest.

45. SB 1324, 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.

Discussion: The SFC generally supports this bill as it aligns with the SFC policy.

46. SB 1383, companion to HB 1064, move SFM to DoD.

Discussion: Same

Motion: To approve all actions discussed in the last half an hour, II.C.20 to II.C.46.

Members voted unanimously to accept the motion; the motion was carried.

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.

Discussion: Bills not yet on SFC's radar, Gary will draft based on policy and statement.

Motion: Should question not relate to a bill, Gary drafts and Todd would approve. If bill needs comments, will draft and Todd will approve it or defer it to the next SFC meeting.

Motion: For all bills already discussed, Gary is delegated to draft responses with Chief Todd approving.

All SFC members were in favor of accepting the motions.

Counties are still welcome to submit testimonies from their counties.

III. New Business

[Phase 3 Report](#) from the Fire Safety Research Institute

The SFC referred to a report by the Research Institute, entitled "Lahaina Fire Forward-Looking Report." In particular, referred to "2.0 State of Hawaii Priorities and Recommendations." The non-profit Hawaii Wildfire Management Organization (HWMO) has knowledge and experience in wildfire prevention, preparedness, multi-partner coordination, and project management and can facilitate meetings with relevant stakeholders.

4.1.2 Hawai'i State Fire Council (page 29 of the report)

Add to agenda for the next meeting to draft a living document—a function and purpose statement that SFC can add to in the future.

A. Recommendations for the SFC (page 20 of the report)

3.0 County Priorities and Recommendations. The SFC reviewed the prioritized recommendations and discussed how to contribute to being prepared. The annual fire fighters guide is published and distributed to all public schools on all islands. Some priorities are being covered by other agencies, organizations and companies, i.e., Priority 4 (page 11) is HIEMA, Priority 5 (page 11) is HECO, a public utility.

Priority 6. Fire Weather (page 12) SFC supports the National Weather Service in making sure there are more Remote Automatic Weather (RAW) stations. Each county's Emergency Operating Center (EOC) have assigned weather guys. They are tasked with continual monitoring and messaging chiefs if something is happening.

Priority 8 Codes and Standards (page 13). In general, the SFC supports this priority; particulars need more discussion. Cultural change is needed in order to enforce the policy.

Priority 9. Wildfire Response Preparedness (page 13)
Walker to handle.

Priority 10. Vegetation and Land Management (page 14)

County priorities were not discussed as each chief will handle their county's priorities.

4.0 , Prevention Policy, Recommendation (page 54)

2. Adopt stronger WUI codes (e.g., ICC International Wildland-Urban Interface Code).

Chair Todd commented that he is not prepared to discuss what the WUI code is. He will study it and be ready to discuss it in the near future.

B. Recommendations for the State Fire Marshal


5.0 State Fire Marshal Review (page 39) No discussion.

III. Next Meeting

The next special meeting was scheduled for February 25, 2025, 8:00 to 10:00 a.m. to accept the PIG's report.

IV. Adjournment

Hearing no other business to discuss, the meeting was adjourned by Chair Todd at 3:40 p.m.



KAZUO TODD
Chair