
A BILL FOR AN ACT

RELATING TO FIRE SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that in 1979, the State
2 eliminated the state fire marshal's office and established the
3 Hawaii state fire council, which is comprised of the four county
4 fire chiefs. However, the state fire council was created with
5 no funding to support statewide fire service-related efforts.
6 Instead, since its inception, the state fire council's duties
7 have been accomplished by using staff of the four county fire
8 departments, especially the Honolulu fire department. Because
9 the members of the state fire council and associated working
10 groups have responsibilities with their respective county fire
11 departments, it can be challenging for members to effectively
12 perform their duties for the state fire council.

13 Staffing issues for the state fire council have also been a
14 concern. In 2001, the first paid part-time employee was funded
15 with \$35,000 requested by the state fire council and approved by
16 the governor and legislature. In 2011, an additional \$71,000
17 was added to hire two additional part-time staff, for a total of



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1 three staff. However, there is still no dedicated full-time
2 staff with the state fire council to handle statewide fire-
3 related issues, as the part-time staff are busy with cigarette
4 ignition propensity tracking and testing and organizing training
5 courses provided by the federal government.

6 The legislature further finds that the state fire council
7 quarterly meets for only two days to discuss issues related to
8 its obligations and duties and is subject to the public meetings
9 and records requirements of chapter 92, Hawaii Revised Statutes.
10 Additionally, quorum is also necessary for the state fire
11 council to conduct business, as only sitting members of the
12 state fire council are allowed to vote. These challenges, along
13 with a lack of staffing resources, make it difficult for the
14 state fire council to achieve its primary mission of developing
15 and supporting a comprehensive fire service emergency management
16 network for the protection of life, property, and the
17 environment for the State.

18 The purpose of this Act is to establish a working group to
19 determine if a full-time Hawaii state marshal's office would
20 prove to be more effective than the existing state fire council



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1 in planning, executing, and promoting fire safety-related
2 programs and topics in the State.

3 SECTION 2. (a) There is established a fire safety working
4 group within the department of public safety for administrative
5 purposes.

6 (b) The working group shall determine if a full-time state
7 fire marshal office would prove to be more effective than the
8 existing state fire council in planning, executing, and
9 promoting fire safety-related programs and topics in the State.

10 The working shall also examine the following:

- 11 (1) Whether the state fire council is effectively
12 accomplishing its duties with the current part-time
13 staffing and processes;
- 14 (2) Whether the state fire council is responsible in
15 overseeing fire inspections at state-owned properties,
16 such as schools, airports, courthouses, and prisons;
- 17 (3) The intent behind abolishing the state fire marshal's
18 office in 1979;
- 19 (4) Whether the counties should continue to absorb
20 expenses to conduct duties of the state fire council;



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1 (5) Whether a state fire marshal, if established, should
2 be involved with the tracking and enforcement of
3 fireworks; and

4 (6) Any other related concerns that the department of
5 public safety or members of the working group find
6 relevant.

7 (c) The working group shall consist of:

8 (1) A fire prevention representative from the Honolulu
9 fire department;

10 (2) A fire prevention representative from the Maui fire
11 department;

12 (3) A fire prevention representative from the Hawaii fire
13 department;

14 (4) A fire prevention representative from the Kauai fire
15 department;

16 (5) The fire chief, or the fire chief's designee, from
17 each county;

18 (6) A support staff representative from the state fire
19 council who is knowledgeable in managing funds,
20 adopting the fire code, coordinating training, fire



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1 data collection, federal grants, and testing and
2 credentialing fire-related systems;

3 (7) A representative from the Hawaii fire chiefs
4 association;

5 (8) A representative from the department of
6 transportation's aircraft rescue fire fighting
7 division; and

8 (9) Other representatives deemed appropriate by the
9 members of the working group.

10 (d) Members of the working group shall select the
11 chairperson of the working group from among themselves. Members
12 of the working group shall serve without compensation but shall
13 be reimbursed for necessary expenses, including travel expenses,
14 incurred in the performance of their official duties.

15 (e) The working group shall submit a report of its
16 findings and recommendations, including any proposed
17 legislation, to the legislature no later than twenty days prior
18 to the convening of the regular session of 2022.

19 (f) The working group shall meet at least once per month,
20 or as needed, to complete the report.



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1 (g) The working group shall not be exempt from the
2 requirements of chapters 84 and 92, Hawaii Revised Statutes.

3 (h) The working group shall cease to exist on June 30,
4 2023.

5 SECTION 3. This Act shall take effect upon its approval.

6

INTRODUCED BY:



JAN 27 2021



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Report Title:

Working Group; State Fire Council; State Fire Marshal Office

Description:

Establishes a working group to determine if a full-time state fire marshal's office would be more effective than the existing state fire council in planning, executing, and promoting fire safety-related programs and topics in the State. Requires the working group to submit a report to the legislature prior to the regular session of 2022.

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