

Honolulu, Hawaii

APR 26 2024

RE: S.B. No. 2085
S.D. 2
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2085, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE STATE FIRE MARSHAL,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to establish and appropriate funds for the Office of the State Fire Marshal to direct statewide efforts in preventing and responding to fires throughout the State.

Your Committee on Conference finds that the State Fire Marshal position was abolished in 1979 and replaced by the State Fire Council, composed of the Fire Chiefs of the four counties, Fire Chief of the State Aircraft Rescue Firefighting Unit, and a representative of the Division of Forestry and Wildlife Division of the Department of Land and Natural Resources. Your Committee on Conference further finds that while the State Fire Council acts as the de facto State Fire Marshal's office, the members serve as non-



compensated volunteers, and can only meet on a quarterly basis due to the high demand of their leadership positions within their fire respective services. Therefore, this measure establishes the Office of the State Fire Marshal to provide critical input and oversight to the State's Fire Code, coordinate with county fire departments and other agencies in promoting fire safety and the efficient deployment of fire operations in the State, and oversee the training and certification of fire inspectors and investigators in the State, among other duties.

Your Committee on Conference has amended this measure by:

- (1) Requiring the State Fire Marshal to be appointed by the State Fire Council, rather than by the Governor;
- (2) Requiring the State Fire Marshal to serve a term of five years rather than ten years;
- (3) Inserting language requiring the State Fire Council to meet expeditiously to select and appoint a new State Fire Marshal to serve the remainder of the unexpired term in the event of a vacancy;
- (4) Deleting language that would have required the State Fire Marshal to:
 - (A) Coordinate with county fire departments and other agencies in promoting fire safety and the efficient deployment of fire operations in the State; and
 - (B) Administer state-level fire protection training and aid in the establishment of training facilities and programs, including statewide standardization of certification and training levels for firefighters;
- (5) Inserting language that clarifies that the duties of the State Fire Marshal include:
 - (A) Coordinating fire protection efforts between local agencies for the State;
 - (B) Working with the State Fire Council on matters relating to fire services in the State;
 - (C) Working with state and county law enforcement agencies for enforcement of the State Fire Code;



- (D) Reviewing and assessing the fire risk of the State;
 - (E) Reviewing and proposing amendments to the State Fire Code and submitting the proposed amendments to the State Fire Council for the Council's consideration in its adoption of or amendments to the State Fire Code;
 - (F) Reviewing the emergency resources that are available in the State to be deployed to address fires;
 - (G) Assessing whether the State would benefit from a statewide public fire safety messaging program; and
 - (H) Assisting in the disbursement of federal grants for structural fire protection purposes to the counties;
- (6) Clarifying that the State Fire Marshal may utilize the services of the State Fire Council, including its advisory committees and administrative staff, as appropriate;
 - (7) Inserting language including the State Fire Marshal in the list of positions excepted from the application of chapter 76, Hawaii Revised Statutes, the State's Civil Service Law;
 - (8) Inserting language requiring the State Fire Council to establish the terms of employment for the position of the State Fire Marshal and appoint the State Fire Marshal;
 - (9) Inserting an appropriation amount of \$172,000 for the following:
 - (A) \$120,000 for the establishment of one full-time equivalent (1.00 FTE) permanent State Fire Marshal position;
 - (B) \$40,000 for the establishment of one full-time equivalent (1.00 FTE) permanent position to support the State Fire Marshal; and
 - (C) \$12,000 for training, office supplies, rent, and other operating and administrative costs to support the State Fire Marshal;
 - (10) Amending section 1 to reflect its amended purpose;



- (11) Inserting an effective date of July 1, 2024; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2085, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2085, S.D. 2, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



LINDA ICHIYAMA
Co-Chair



HENRY J.C. AQUINO
Chair



SCOT Z. MATSUYOSHI
Co-Chair



GLENN WAKAI
Co-Chair



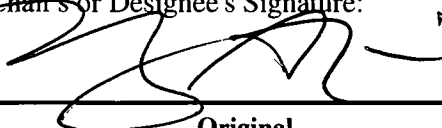
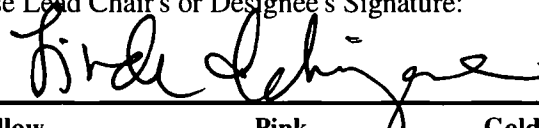
MAHINA POEPOE
Co-Chair



TROY N. MACHIMOTO
Co-Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2085, SD 2, HD 1					Date/Time: <i>4/25/24 10:03 AM</i>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
AQUINO, Henry J.C., Chr.	✓				ICHIYAMA, Linda, Co-Chr.	✓			
WAKAI, Glenn, Co-Chr.	✓				MATAYOSHI, Scot Z., Co-Chr.	✓			
HASHIMOTO, Troy N., Co-Chr.	✓				POEPOE, Mahina, Co-Chr.	✓			
FEVELLA, Kurt				✓	KILA, Darius K.	✓			
					MIZUNO, May Besario	✓			
					SOUZA, Kanani	✓			
TOTAL	3			1	TOTAL	6			
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
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		<i>File with Conference Committee Report</i>	<i>House Clerk's Office</i>	<i>Senate Clerk's Office</i>	<i>Drafting Agency</i>				