

Honolulu, Hawaii

MAR 21, 2024

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

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

Sir:

Your Committees on Water & Land and Labor & Government Operations, to which was referred S.B. No. 2085, S.D. 2, entitled:

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

beg leave to report as follows:

The purpose of this measure is to establish the Division of the State Fire Marshal within the Department of Labor and Industrial Relations.

Your Committees received testimony in support of this measure from the Office of the Governor; Department of Labor and Industrial Relations; Hawaii State Fire Council; Honolulu Fire Department; Maui Fire Department; one member of the Maui County Council; Hawaiian Electric; Democratic Party of Hawai'i; and one individual. Your Committees received comments on this measure from the Department of the Attorney General; Department of Land and Natural Resources; and Maui Chamber of Commerce.

Your Committees find that Hawaii is the only state without a State Fire Marshal, whose position was abolished in 1979 and replaced with the State Fire Council. Your Committees further find that the State Fire Council's members serve as non-compensated volunteers as their time allows from their full-time



employment. This measure better serves the needs of the State by establishing a dedicated State Fire Marshal.

Your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of House Bill No. 1843, House Draft 2, including:
 - (A) Establishing the Office of the State Fire Marshal, rather than a division and having the Governor, instead of the State Fire Council, appoint the State Fire Marshal;
 - (B) Establishing the length of the State Fire Marshal's term of office at ten years;
 - (C) Modifying the duties of the State Fire Marshal;
 - (D) Requiring the State Fire Council to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature by November 1, 2024, including:
 - (i) An organizational plan, including structure and personnel plan, for the Office of the State Fire Marshal;
 - (ii) A description of the roles and division of responsibilities between the State and the counties, and the Office of the State Fire Marshal and the State Fire Council, regarding fire prevention and response; and
 - (iii) Proposed operating budget for the Office of the State Fire Marshal; and
 - (E) Deleting the appropriations for the State Fire Marshal position and operating costs and modifying the full-time equivalent administrative staff positions for the Office of the State Fire Marshal to an unspecified number;
- (2) Not subjecting the appointment of the State Fire Marshal to the advice and consent of the Senate;



- (3) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

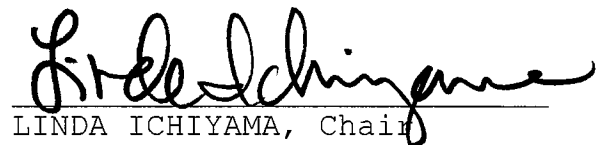
Your Committees respectfully request your Committee on Finance, should it choose to deliberate on this measure, to establish one full-time equivalent (1.0 FTE) administrative staff position for the Office of the State Fire Marshal.

As affirmed by the records of votes of the members of your Committees on Water & Land and Labor & Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2085, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2085, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Labor & Government Operations,



SCOT Z. MATAYOSHI, Chair



LINDA ICHIYAMA, Chair



Record of Votes of the Committee on Labor & Government Operations

Bill/Resolution No.: SB 2085 SD2	Committee Referral: WAL/LGO, FIN	Date: 3/19/24		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LGO Members	Ayes	Ayes (WR)	Nays	Excused
1. MATAYOSHI, Scot Z. (C)	✓			
2. GARRETT, Andrew Takuya (VC)	✓			
3. KAPELA, Jeanne	✓			
4. MARTINEZ, Rose	✓			
5. SAYAMA, Jackson D.				✓
6. TAM, Adrian K.	✓			
7. ALCOS III, David				✓
TOTAL (7)	5	-	-	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				