
A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

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

1 SECTION 1. The legislature finds that in the aftermath of
2 the August 2023 Lahaina wildfires, the department of the
3 attorney general initiated an investigation and retained the
4 independent, third-party Fire Safety Research Institute, part of
5 UL Research Institutes, to assess the performance of state and
6 county agencies in preparing for and responding to the August
7 2023 Lahaina wildfires. The investigation led to three reports
8 -- a "Phase 1" comprehensive timeline report, a "Phase 2"
9 incident analysis report, and a "Phase 3" forward-looking
10 report.

11 The "Phase 3" forward-looking report organized these
12 findings and provided a prioritized list of action items of
13 changes to be made to improve Hawaii's response to wildfires for
14 the State and all counties. The report calls for changes and
15 improvements to the office of the state fire marshal, which was
16 established by Act 209, Session Laws of Hawaii 2024 – among
17 them, bolstering statutory authority of the office of the state



1 fire marshal to address the wide spectrum of fire safety issues,
2 delineating responsibilities and reporting structures between
3 the state fire marshal and the state fire council, and creating
4 an organizational structure to immediately address the State's
5 fire-safety priorities effectively.

6 Accordingly, the purpose of this Act is to effectuate the
7 recommendations of the "Phase 3" forward-looking report.

8 SECTION 2. Chapter 132, Hawaii Revised Statutes, is
9 amended by adding a new part to be appropriately designated and
10 to read as follows:

11 **"PART . OFFICE OF THE STATE FIRE MARSHAL**

12 **§132-A Definitions.** As used in this part, unless the
13 context otherwise requires:

14 "Defensible space" means a natural or human-made area in
15 which material capable of supporting the spread of fire has been
16 treated, cleared, or modified to slow the rate and intensity of
17 advancing wildfires and allowing space for fire suppression
18 operations to occur.

19 "Department" means the department of defense.



1 "Fire protection equipment" means any apparatus, machinery,
2 or appliance intended for use by a fire service unit in fire
3 prevention or suppression activities.

4 "Office" means the office of the state fire marshal.

5 **§132-B Office of the state fire marshal; established.** (a)

6 The office of the state fire marshal is established within the
7 department for administrative purposes. The office shall be
8 headed by the state fire marshal.

9 (b) The state fire marshal may organize and reorganize the
10 administrative structure of the office as the state fire marshal
11 considers appropriate to properly conduct the work of the
12 office.

13 (c) The state fire marshal may divide the functions of the
14 office into administrative divisions. The state fire marshal
15 may appoint an individual to administer each division. Each
16 individual appointed under this subsection shall be well-
17 qualified by technical training and experience in the functions
18 to be performed by the individual.

19 **§132-C Office of the state fire marshal; powers and duties**
20 **generally.** (a) The office shall:

21 (1) Review and assess the fire risk of the State;



- 1 (2) Coordinate fire protection efforts among local
2 agencies for the State;
- 3 (3) Review and propose amendments to the state fire code,
4 in consultation with and in consideration of
5 recommendations provided by the state fire council for
6 the state fire council's consideration in its adoption
7 of or amendments to the state fire code;
- 8 (4) Review the emergency resources that are available in
9 the State to be deployed to address fires;
- 10 (5) Work with state and county law enforcement agencies
11 for enforcement of the state fire code; provided that
12 law enforcement agencies shall have primary law
13 enforcement jurisdiction;
- 14 (6) Upon request of a county official having enforcement
15 responsibility and a showing of unusual fire hazard or
16 other special circumstances, investigate and make
17 appropriate recommendations. The state fire marshal
18 may investigate or cause an investigation to be made
19 to determine the probable cause, origin, and
20 circumstances of any fire and shall classify the
21 findings as the state fire marshal may find



1 appropriate to promote fire protection and prevention.

2 The state fire marshal shall coordinate and consult
3 with county authorities in the event that the state
4 fire marshal needs to summon witnesses related to a
5 fire investigation;

6 (7) Conduct inspections of state buildings and facilities
7 to ensure fire safety compliance;

8 (8) Oversee the training and certification of fire
9 inspectors and investigators in the State; and

10 (9) Maintain records of all fires in the State, including
11 the causes and circumstances.

12 (b) The office shall adopt rules pursuant to chapter 91
13 necessary to implement this part.

14 **§132-D Office of the state fire marshal; discretionary**
15 **powers.** The office may:

16 (1) Establish headquarters and county offices of the
17 office at places the department considers advisable
18 for the protection of the State;

19 (2) Allow the state fire marshal and deputy state fire
20 marshals to operate authorized emergency vehicles as
21 defined by section 291C-1;



- 1 (3) Use land and buildings for the accommodation of office
2 employees and office vehicles and equipment;
- 3 (4) Contract or otherwise cooperate with any person or
4 public agency for the procurement of necessary
5 services or property, subject to chapter 103D where
6 applicable, including by entering into lease
7 agreements and taking title to real property as
8 necessary for the performance of the duties of the
9 office;
- 10 (5) As an emergency services agency, control and regulate
11 the acquisition, operation, use, maintenance and
12 disposal of, and access to, motor vehicles and
13 equipment for official state fire business;
- 14 (6) Accept and transfer gifts, grants, donations, and
15 funds from any source, including services and
16 property, to carry out the duties of the office;
- 17 (7) Provide training, or enter into contracts to obtain
18 training services, in fire suppression and fire safety
19 inspection, to departments and agencies that issue
20 licenses;



1 (8) Explore additional opportunities to reduce wildfire
2 risk, including engaging with:

3 (A) Insurance companies regarding insurance policy
4 coverage provisions, underwriting standards,
5 insurance rates, and any other topic relevant to
6 enhancing the protection of property from
7 wildfire at a reasonable cost;

8 (B) Electric utilities regarding further actions to
9 protect public safety, reduce risk to electric
10 company customers, and promote electrical system
11 resilience to wildfire damage; and

12 (C) Federal agencies to expand opportunities for
13 cost-share partnerships for wildfire mitigation
14 and develop strategies for improvements to
15 federal fire management policies applicable to
16 the State; and

17 (9) Perform any other duties necessary to discharge its
18 duties under this part.

19 **§132-E Preparation of statistical reports.** Every two
20 years, the state fire marshal shall prepare statistical reports
21 on the history and condition of state fire defenses and an



1 analysis of contributing factors of fire causes for the period
2 of the report. The reports shall be posted on the office's
3 website and publicly available upon request, subject to a fee
4 not to exceed the cost of printing and distribution. The
5 reports compiled under this section shall include a compilation
6 or summary of the county fire chiefs' records prepared pursuant
7 to section 132-1(a), in addition to any other sources the state
8 fire marshal deems appropriate.

9 **§132-F Powers and duties relating to wildfire readiness.**

10 The office shall increase the State's wildfire readiness
11 capacity to the extent that the department receives funding for
12 the increase, by means including:

- 13 (1) Increasing the number of fire prevention personnel and
14 fire administrative support personnel to address
15 planning, communications, training, deployment, and
16 safety;
- 17 (2) Implementing innovative technologies and modernizing
18 systems to expedite fire resource deployment in an
19 efficient and safe manner;
- 20 (3) Entering into contracts or agreements with federal or
21 state agencies, counties, other states, corporations,



1 and authorities, having jurisdiction for fire
2 prevention, suppression, coordination, and response;
3 and

4 (4) Coordinating with the Hawaii emergency management
5 agency.

6 **§132-G Preparation of emergency plans by the state fire**
7 **marshal.** The state fire marshal, in consultation with the
8 Hawaii emergency management agency, shall provide advice and
9 counsel to the governor on the most practical utilization of the
10 firefighting resources of the State.

11 **§132-H State fire marshal; terms of employment.** (a) The
12 state fire marshal shall be the administrator of the office and
13 shall be appointed by the state fire council to serve for a term
14 of five years. The appointment of the state fire marshal shall
15 be made without regard to chapters 76 and 89, and shall not be
16 subject to the advice and consent of the senate. In the event
17 of a vacancy, the state fire council shall meet expeditiously to
18 select and appoint a new state fire marshal to serve the
19 remainder of the unexpired term.

20 (b) The state fire marshal shall be qualified to direct
21 the technical and executive work of the office and shall have



1 education or training related to the programs of the office and
2 significant experience in managing fire protection or related
3 programs.

4 **§132-I Deputies and assistants.** The state fire marshal
5 shall appoint two deputy state fire marshals, exempt from
6 chapters 76 and 89, whose duties shall be to assist in
7 implementing this chapter. The office may also employ other
8 assistants and employees, subject to chapter 76, and incur other
9 expenses as the state fire marshal may deem necessary to
10 effectively administer the office. Each deputy state fire
11 marshal shall be well-qualified by technical training and
12 experience in the functions to be performed by the individual.
13 The state fire marshal may remove any deputy state fire marshal
14 for cause.

15 **§132-J Salaries and expenses.** Salaries and other expenses
16 of the office necessary in the performance of its duties and of
17 the state fire marshal shall be paid in the same manner as the
18 expenses of other offices of the department.

19 **§132-K Recordkeeping.** The office shall keep a record of
20 all fires occurring in the State and of all facts concerning the
21 same, including statistics as to the extent of the fires and the



1 damage caused, whether the losses were covered by insurance, and
2 if so, in what amount. All the records shall be public, except
3 information protected from disclosure pursuant to chapter 92F.
4 The records compiled under this section shall be a compilation
5 of the county fire chiefs' records prepared pursuant to section
6 132-1(a).

7 **§132-L Community risk reduction program.** (a) The office
8 shall develop and administer a community risk reduction program
9 that:

- 10 (1) Emphasizes education and methods for the
11 prevention of wildfire risk;
- 12 (2) Encourages cost-effective hardening and
13 retrofitting of structures that creates fire-
14 resistant homes, businesses, and public
15 buildings; and
- 16 (3) Facilitates vegetation management, the creation
17 and maintenance of defensible space, and other
18 fuel modification activities that provide
19 neighborhood or communitywide benefits against
20 wildfire.



1 (b) The counties may opt into the community risk reduction
2 program to provide resources and localized knowledge of the
3 community.

4 (c) The office or counties may contract with educational
5 or other nonprofit entities to assist with the administration of
6 the community risk reduction program.

7 **§132-M Community risk reduction special fund.** (a) There
8 is established within the state treasury the community risk
9 reduction special fund, separate and distinct from the general
10 fund.

11 (b) The special fund shall consist of all moneys
12 appropriated to the fund as provided by law and any gifts,
13 grants, donations, endowments, or bequests from any public or
14 private source, including individuals and private organizations.

15 (c) The moneys in the special fund shall be continuously
16 appropriated to the office to carry out community risk
17 reduction, including financial assistance for the hardening of
18 structures in zones designated as at high risk of wildfires on
19 the statewide wildfire hazard map, and the county financial
20 assistance identified in section 132-L(b).



- 1 **§132-N State fire marshal; biennial report; deadline;**
2 **contents.** (a) Beginning with the regular session of 2027, no
3 later than twenty days before the convening in each odd-numbered
4 year of a regular session, the office shall submit to the
5 legislature a report regarding the activities of the state fire
6 marshal and the counties in implementing this chapter.
- 7 (b) The report shall include, at a minimum:
- 8 (1) A status report concerning:
- 9 (A) Community risk reduction; and
10 (B) The establishment, administration, and
11 enforcement of defensible space requirements;
- 12 (2) The amount of moneys expended during the previous
13 fiscal biennium for:
- 14 (A) Community risk reduction; and
15 (B) The establishment, administration, and
16 enforcement of defensible space requirements;
- 17 (3) The amount of moneys expended during the previous
18 fiscal biennium for fire suppression; and
- 19 (4) Any recommendations for the state fire marshal for
20 legislative action, including but not limited to
21 current or future resource and funding needs for:



1 (A) Community risk reduction; and

2 (B) The establishment, administration, and

3 enforcement of defensible space requirements.

4 **§132-O Provision of uniforms, response apparatus, motor**

5 **vehicles, and all emergency supplies and equipment; uniform**

6 **design.** (a) The office shall provide office employees with

7 standard uniforms, response apparatus, motor vehicles, and all

8 other emergency supplies and equipment necessary to carry out

9 the duties of the office.

10 (b) The state fire marshal shall specify a pattern and

11 distinctive design for the uniforms described in subsection (a).

12 (c) The state fire marshal may enter into agreements with

13 other governmental agencies for the purpose of resource sharing

14 of response apparatus, motor vehicles, and all other emergency

15 supplies and equipment necessary to carry out the fire safety

16 and prevention laws of the State.

17 **§132-P Minimum defensible space requirements; duties of**

18 **the state fire marshal; enforcement powers of the counties;**

19 **assistance to the counties.** (a) With regard to minimum

20 defensible space requirements, the state fire marshal:



- 1 (1) Shall consult with the state fire council to establish
2 minimum defensible space requirements;
- 3 (2) Shall establish requirements that are consistent with
4 and do not exceed the standards pertaining to
5 defensible space in generally accepted evidence-based
6 codes and standards;
- 7 (3) May consider best practices specific to the State and
8 traditional and customary practices relating to
9 defensible space to establish the requirements;
- 10 (4) Shall periodically reexamine generally accepted
11 evidence-based codes and standards and update the
12 requirements to reflect the current best practices,
13 which may be conducted in consultation with the state
14 fire council;
- 15 (5) Shall enforce the requirements that are applicable to
16 state lands within the jurisdiction of a county;
- 17 (6) Shall adopt rules governing administration of the
18 requirements;
- 19 (7) May develop, in consultation with the state fire
20 council, a graduated fine structure for the counties'



1 use in assessing civil penalties on property owners
2 for noncompliance with the requirements;

3 (8) Shall consult with stakeholders, such as the counties,
4 on implementation of the requirements; and

5 (9) May adopt rules concerning reports by the counties as
6 described in subsection (b).

7 (b) Each county fire chief may adopt and enforce local
8 requirements for defensible space that are greater than the
9 minimum defensible space requirements established by the state
10 fire marshal. Any local requirements that a county fire chief
11 adopts for defensible space shall be defensible space standards
12 selected from the framework set forth in generally accepted
13 evidence-based codes or standards or other best practices suited
14 to the State.

15 (c) The office may provide financial, administrative,
16 technical, or other assistance to a county to facilitate the
17 administration and enforcement of the minimum defensible space
18 requirements within the jurisdiction of the county. The county
19 shall expend financial assistance provided by the state fire
20 marshal under this subsection to give priority to the creation
21 of defensible space:



1 (1) On lands where members of socially and economically
2 vulnerable communities, persons with limited
3 proficiency in English, and persons of lower income
4 reside;

5 (2) For critical or emergency infrastructure; and

6 (3) For schools, hospitals, and facilities that serve
7 seniors.

8 **§132-Q Office of the state marshal; advisory board. (a)**

9 There is established within the office an advisory board.

10 (b) The advisory board shall consist of the following
11 members:

12 (1) Each of the county fire chiefs, or their respective
13 designees;

14 (2) The chairperson of the board of agriculture, or the
15 chairperson's designee;

16 (3) The chairperson of the public utilities commission, or
17 the chairperson's designee;

18 (4) The insurance commissioner, or the commissioner's
19 designee;



- 1 (5) The deputy director of the airports division of the
2 department of transportation, or the deputy director's
3 designee;
- 4 (6) The director of the office of planning and sustainable
5 development, or the director's designee;
- 6 (7) The administrator of the Hawaii emergency management
7 agency, or the administrator's designee;
- 8 (8) The administrator of the division of forestry and
9 wildlife of the department of land and natural
10 resources, or the administrator's designee;
- 11 (9) A representative of the state building code council;
- 12 (10) A representative of each of the county water supply
13 agencies;
- 14 (11) A representative of each of the State's electric
15 utilities, to be invited by the state fire marshal;
- 16 (12) A representative of each of the State's other private
17 utilities, to be invited by the state fire marshal;
- 18 (13) A representative of the private-sector building
19 industry in the State, to be invited by the state fire
20 marshal;



- 1 (14) A representative of the Hawaii Wildfire Management
2 Organization, to be invited by the state fire marshal;
- 3 (15) A representative of a state agency whose primary focus
4 is serving elderly and other vulnerable populations;
- 5 (16) An individual with subject-matter expertise in serving
6 elderly and other vulnerable populations, to be
7 invited by the state fire marshal; and
- 8 (17) Any other member that the state fire marshal deems
9 appropriate.
- 10 (c) The advisory board shall:
- 11 (1) Guide the vision and strategic priorities of the
12 office;
- 13 (2) Collaborate with other state agencies and the counties
14 to define roles, avoid conflicts, and ensure seamless
15 implementation of this chapter; and
- 16 (3) Provide broad, systemwide considerations to ensure
17 that the office incorporates perspectives and
18 priorities from across sectors, industries, and
19 subject-matter experts and to equip the office with
20 the necessary contextual information to make informed,
21 well-balanced decisions."



1 SECTION 3. Section 26-21, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§26-21 Department of defense.** (a) The department of
4 defense shall be headed by a single executive to be known as the
5 adjutant general. The adjutant general shall also be the
6 director of the Hawaii emergency management agency as
7 established in section 127A-3.

8 The department shall be responsible for the defense of the
9 State and its people from mass violence, originating from either
10 human or natural causes.

11 The devolution of command of the military forces in the
12 absence of the adjutant general shall be within the military
13 establishment. The devolution of command of the Hawaii
14 emergency management agency in the absence of the adjutant
15 general, as director of the agency, shall be within the agency.

16 (b) The office of veterans' affairs and the advisory board
17 on veterans' services as constituted by chapter 363 are placed
18 within the department of defense for administrative purposes.

19 (c) The office established under chapter 132 is placed
20 within the department of defense for administrative purposes."



1 SECTION 4. Section 76-16, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The civil service to which this chapter applies shall
4 comprise all positions in the State now existing or hereafter
5 established and embrace all personal services performed for the
6 State, except the following:

- 7 (1) Commissioned and enlisted personnel of the Hawaii
8 National Guard and positions in the Hawaii National
9 Guard that are required by state or federal laws or
10 regulations or orders of the National Guard to be
11 filled from those commissioned or enlisted personnel;
- 12 (2) Positions filled by persons employed by contract where
13 the director of human resources development has
14 certified that the service is special or unique or is
15 essential to the public interest and that, because of
16 circumstances surrounding its fulfillment, personnel
17 to perform the service cannot be obtained through
18 normal civil service recruitment procedures. Any
19 contract may be for any period not exceeding one year;
- 20 (3) Positions that must be filled without delay to comply
21 with a court order or decree if the director



- 1 determines that recruitment through normal recruitment
2 civil service procedures would result in delay or
3 noncompliance, such as the Felix-Cayetano consent
4 decree;
- 5 (4) Positions filled by the legislature or by either house
6 or any committee thereof;
- 7 (5) Employees in the office of the governor and office of
8 the lieutenant governor, and household employees at
9 Washington Place;
- 10 (6) Positions filled by popular vote;
- 11 (7) Department heads, officers, and members of any board,
12 commission, or other state agency whose appointments
13 are made by the governor or are required by law to be
14 confirmed by the senate;
- 15 (8) Judges, referees, receivers, masters, jurors, notaries
16 public, land court examiners, court commissioners, and
17 attorneys appointed by a state court for a special
18 temporary service;
- 19 (9) One bailiff for the chief justice of the supreme court
20 who shall have the powers and duties of a court
21 officer and bailiff under section 606-14; one



1 secretary or clerk for each justice of the supreme
2 court, each judge of the intermediate appellate court,
3 and each judge of the circuit court; one secretary for
4 the judicial council; one deputy administrative
5 director of the courts; three law clerks for the chief
6 justice of the supreme court, two law clerks for each
7 associate justice of the supreme court and each judge
8 of the intermediate appellate court, one law clerk for
9 each judge of the circuit court, two additional law
10 clerks for the civil administrative judge of the
11 circuit court of the first circuit, two additional law
12 clerks for the criminal administrative judge of the
13 circuit court of the first circuit, one additional law
14 clerk for the senior judge of the family court of the
15 first circuit, two additional law clerks for the civil
16 motions judge of the circuit court of the first
17 circuit, two additional law clerks for the criminal
18 motions judge of the circuit court of the first
19 circuit, and two law clerks for the administrative
20 judge of the district court of the first circuit; and
21 one private secretary for the administrative director



1 of the courts, the deputy administrative director of
2 the courts, each department head, each deputy or first
3 assistant, and each additional deputy, or assistant
4 deputy, or assistant defined in paragraph (16);

5 (10) First deputy and deputy attorneys general, the
6 administrative services manager of the department of
7 the attorney general, one secretary for the
8 administrative services manager, an administrator and
9 any support staff for the criminal and juvenile
10 justice resources coordination functions, and law
11 clerks;

12 (11) (A) Teachers, principals, vice-principals, complex
13 area superintendents, deputy and assistant
14 superintendents, other certificated personnel,
15 and no more than twenty noncertificated
16 administrative, professional, and technical
17 personnel not engaged in instructional work;

18 (B) Effective July 1, 2003, teaching assistants,
19 educational assistants, bilingual or bicultural
20 school-home assistants, school psychologists,
21 psychological examiners, speech pathologists,



- 1 athletic health care trainers, alternative school
2 work study assistants, alternative school
3 educational or supportive services specialists,
4 alternative school project coordinators, and
5 communications aides in the department of
6 education;
- 7 (C) The special assistant to the state librarian and
8 one secretary for the special assistant to the
9 state librarian; and
- 10 (D) Members of the faculty of the [~~University~~]
11 university of Hawaii, including research workers,
12 extension agents, personnel engaged in
13 instructional work, and administrative,
14 professional, and technical personnel of the
15 university;
- 16 (12) Employees engaged in special, research, or
17 demonstration projects approved by the governor;
- 18 (13) (A) Positions filled by inmates, patients of state
19 institutions, and persons with severe physical or
20 mental disabilities participating in the work
21 experience training programs;



- 1 (B) Positions filled with students in accordance with
2 guidelines for established state employment
3 programs; and
- 4 (C) Positions that provide work experience training
5 or temporary public service employment that are
6 filled by persons entering the workforce or
7 persons transitioning into other careers under
8 programs such as the federal Workforce Investment
9 Act of 1998, as amended, or the Senior Community
10 Service Employment Program of the Employment and
11 Training Administration of the United States
12 Department of Labor, or under other similar state
13 programs;
- 14 (14) A custodian or guide at Iolani Palace, the Royal
15 Mausoleum, and Hulihee Palace;
- 16 (15) Positions filled by persons employed on a fee,
17 contract, or piecework basis, who may lawfully perform
18 their duties concurrently with their private business
19 or profession or other private employment and whose
20 duties require only a portion of their time, if it is



1 impracticable to ascertain or anticipate the portion
2 of time to be devoted to the service of the State;
3 (16) Positions of first deputies or first assistants of
4 each department head appointed under or in the manner
5 provided in section 6, article V, of the Hawaii State
6 Constitution; three additional deputies or assistants
7 either in charge of the highways, harbors, and
8 airports divisions or other functions within the
9 department of transportation as may be assigned by the
10 director of transportation, with the approval of the
11 governor; one additional deputy in the department of
12 human services either in charge of welfare or other
13 functions within the department as may be assigned by
14 the director of human services; four additional
15 deputies in the department of health, each in charge
16 of one of the following: behavioral health,
17 environmental health, hospitals, and health resources
18 administration, including other functions within the
19 department as may be assigned by the director of
20 health, with the approval of the governor; two
21 additional deputies in charge of the law enforcement



1 programs, administration, or other functions within
2 the department of law enforcement as may be assigned
3 by the director of law enforcement, with the approval
4 of the governor; three additional deputies each in
5 charge of the correctional institutions,
6 rehabilitation services and programs, and
7 administration or other functions within the
8 department of corrections and rehabilitation as may be
9 assigned by the director of corrections and
10 rehabilitation, with the approval of the governor; two
11 administrative assistants to the state librarian; and
12 an administrative assistant to the superintendent of
13 education;

14 (17) Positions specifically exempted from this part by any
15 other law; provided that:

16 (A) Any exemption created after July 1, 2014, shall
17 expire three years after its enactment unless
18 affirmatively extended by an act of the
19 legislature; and



- 1 (B) All of the positions defined by paragraph (9)
2 shall be included in the position classification
3 plan;
- 4 (18) Positions in the state foster grandparent program and
5 positions for temporary employment of senior citizens
6 in occupations in which there is a severe personnel
7 shortage or in special projects;
- 8 (19) Household employees at the official residence of the
9 president of the [~~University~~] university of Hawaii;
- 10 (20) Employees in the department of education engaged in
11 the supervision of students during meal periods in the
12 distribution, collection, and counting of meal
13 tickets, and in the cleaning of classrooms after
14 school hours on a less than half-time basis;
- 15 (21) Employees hired under the tenant hire program of the
16 Hawaii public housing authority; provided that no more
17 than twenty-six per cent of the authority's workforce
18 in any housing project maintained or operated by the
19 authority shall be hired under the tenant hire
20 program;



- 1 (22) Positions of the federally funded expanded food and
2 nutrition program of the [University] university of
3 Hawaii that require the hiring of nutrition program
4 assistants who live in the areas they serve;
- 5 (23) Positions filled by persons with severe disabilities
6 who are certified by the state vocational
7 rehabilitation office that they are able to perform
8 safely the duties of the positions;
- 9 (24) The sheriff;
- 10 (25) A gender and other fairness coordinator hired by the
11 judiciary;
- 12 (26) Positions in the Hawaii National Guard youth and adult
13 education programs;
- 14 (27) In the Hawaii state energy office in the department of
15 business, economic development, and tourism, all
16 energy program managers, energy program specialists,
17 energy program assistants, and energy analysts;
- 18 (28) Administrative appeals hearing officers in the
19 department of human services;
- 20 (29) In the Med-QUEST division of the department of human
21 services, the division administrator, finance officer,



1 health care services branch administrator, medical
2 director, and clinical standards administrator;
3 (30) In the director's office of the department of human
4 services, the enterprise officer, information security
5 and privacy compliance officer, security and privacy
6 compliance engineer, security and privacy compliance
7 analyst, information technology implementation
8 manager, assistant information technology
9 implementation manager, resource manager, community or
10 project development director, policy director, special
11 assistant to the director, and limited English
12 proficiency project manager or coordinator;
13 (31) The Alzheimer's disease and related dementia services
14 coordinator in the executive office on aging;
15 (32) In the Hawaii emergency management agency, the
16 executive officer, public information officer, civil
17 defense administrative officer, branch chiefs, and
18 emergency operations center state warning point
19 personnel; provided that for state warning point
20 personnel, the director shall determine that



- 1 recruitment through normal civil service recruitment
2 procedures would result in delay or noncompliance;
- 3 (33) The executive director and seven full-time
4 administrative positions of the school facilities
5 authority;
- 6 (34) Positions in the Mauna Kea stewardship and oversight
7 authority;
- 8 (35) In the office of homeland security of the department
9 of law enforcement, the statewide interoperable
10 communications coordinator;
- 11 (36) In the social services division of the department of
12 human services, the business technology analyst;
- 13 [+] (37) [+] The executive director and staff of the 911
14 board;
- 15 [+] (38) [+] Senior software developers in the department of
16 taxation;
- 17 [+] (39) [+] In the department of law enforcement, five
18 Commission on Accreditation for Law Enforcement
19 Agencies, Inc., coordinator positions;
- 20 [+] (40) [~~+~~The] In the office of the state fire marshal[~~+~~], the
21 state fire marshal and deputy state fire marshals; and



1 [+] (41) [+] The administrator for the law enforcement
2 standards board.

3 The director shall determine the applicability of this
4 section to specific positions.

5 Nothing in this section shall be deemed to affect the civil
6 service status of any incumbent as it existed on July 1, 1955."

7 SECTION 5. Section 132-4, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§132-4 Investigation of fires; criminal prosecutions.**

10 The fire chief of the county in which any fire occurs shall
11 immediately investigate the cause, origin, and circumstances of
12 fire by which property has been destroyed or damaged and so far
13 as possible determine whether the fire was the result of
14 carelessness or design. A county fire chief may request the
15 office to assist with the investigation of a fire as provided in
16 section 132-C.

17 If after any investigation the county fire chief is of the
18 opinion that the evidence in relation to the fire indicates that
19 a crime has been committed, the fire chief shall present the
20 evidence to the [~~officer~~] attorney of the county in which the
21 supposed offense was committed, with the request that the



1 prosecuting [~~officer~~] attorney institute [~~such~~] criminal
2 proceedings as the evidence may warrant.

3 In the event that the office is of the opinion that the
4 evidence in relation to a fire indicates that a crime has been
5 committed, the office or state fire marshal shall coordinate
6 with the relevant county fire chief to present the evidence to
7 the prosecuting attorney of the county in which the supposed
8 offense was committed."

9 SECTION 6. Section 132-4.5, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "~~{}~~§132-4.5~~{}~~ **Investigation of fires; immunity for**
12 **information received from insurers.** (a) The fire chief of each
13 county or the state fire marshal may require any insurer in
14 writing to release information relating to any investigation the
15 insurer has made concerning a loss or potential loss due to fire
16 of suspicious or incendiary origin which information shall
17 include but not be limited to:

- 18 (1) An insurance policy relating to [~~such~~] the loss;
19 (2) Policy premium records;
20 (3) History of previous claims; and



1 (4) Other relevant material relating to [~~such~~] the loss or
2 potential loss.

3 (b) If any insurer has reason to suspect that a fire loss
4 to its insured's real or personal property was caused by
5 incendiary means, the insurer shall furnish the county fire
6 chief or state fire marshal with all relevant material acquired
7 during its investigation of the fire loss, cooperate with and
8 take [~~such~~] action as may be required of it by the county fire
9 chief[~~7~~] or state fire marshal, and permit any person ordered by
10 the court to inspect any of its records pertaining to the policy
11 and the loss. Such insurer may request the county fire chief or
12 state fire marshal to release information relating to any
13 investigation the fire chief or state fire marshal has made
14 concerning any [~~such~~] fire loss of suspicious or incendiary
15 origin.

16 (c) In the absence of fraud, malice, or criminal act, no
17 insurer or person who furnishes information on its behalf, shall
18 be liable for damages in a civil action or be subject to
19 criminal prosecution for any oral or written statement made that
20 is necessary to supply information required pursuant to this
21 section.



1 (d) The county fire chief or state fire marshal receiving
2 any information furnished pursuant to this section shall hold
3 the information in confidence until such time as its release is
4 required in furtherance of a criminal or civil proceeding.

5 (e) The county fire chief, in person or by officers or
6 members of the fire chief's fire department, or the state fire
7 marshal, in person or by deputies or employees of the office,
8 may be required to testify as to any information in the fire
9 chief's or state fire marshal's possession regarding the fire
10 loss of real or personal property in any civil action in which
11 any person seeks recovery under a policy against any insurance
12 company for the fire loss."

13 SECTION 7. Section 132-5, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§132-5 Right of entry for inspection; unlawful to**
16 **obstruct.** The county fire chief [~~e~~], the chief's designees,
17 the state fire marshal, or the state fire marshal's designees,
18 at all reasonable hours may enter any buildings, structures, or
19 premises within the fire chief's jurisdiction, except the
20 interior of private dwellings, to make any inspection,
21 investigation, or examination that is authorized to be made



1 under this chapter. The county fire chief [~~or~~], the chief's
2 designees, the state fire marshal, or the state fire marshal's
3 designees may enter any private dwelling whenever the fire chief
4 [~~or~~], the chief's designees, the state fire marshal, or the
5 state fire marshal's designees have reason to believe that
6 dangerous conditions creating a fire hazard exist in the
7 dwelling. The county fire chief [~~or~~], the chief's designees,
8 the state fire marshal, or the state fire marshal's designees
9 may enter any private dwelling when a fire has occurred in the
10 dwelling. It shall be unlawful to obstruct, hinder, or delay
11 any person having the right to make the inspection,
12 investigation, or examination in the performance of duty.

13 The county fire chief [~~or~~], the chief's designees, the
14 state fire marshal, or the state fire marshal's designees are
15 authorized to make an inspection of all buildings and
16 facilities, except state-owned airport facilities, the frequency
17 of which shall be made in accordance with section 132-6, and
18 shall make a report to the authorities responsible for the
19 maintenance of any building or facility when it is found that a
20 building or facility does not meet minimum standards of fire and
21 safety protection."



1 SECTION 8. Section 132-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§132-6 Duties of county fire chiefs; periodic**
4 **inspections; orders to remove fire hazards; appeals.** (a) Each
5 county fire chief, in person or by officers or members of the
6 fire chief's fire department designated by the fire chief for
7 that purpose, shall inspect all buildings, premises, and public
8 thoroughfares, except the interiors of private dwellings and
9 state-owned airport facilities, for the purpose of ascertaining
10 and causing to be corrected any conditions liable to cause fire
11 or any violation of any law, ordinance, rule, or order relating
12 to fire hazard or to the prevention of fires.

13 (b) The inspection shall be made:

14 (1) At least once each year at all public schools; and

15 (2) At least once every five years, or as often as deemed
16 practicable or necessary by the county fire chief at
17 all other buildings and premises to provide fire
18 prevention and pre-fire planning within the
19 jurisdiction of the county fire chief.



1 The [~~State~~] office of the state fire marshal shall conduct fire
2 and safety inspections at all state-owned airport facilities at
3 least once a year.

4 (c) A written report of each inspection shall be kept on
5 file in the office of the county fire chief.

6 (d) A copy of any report showing a change in the hazard or
7 any violation of law, ordinance, rule or order relating to the
8 fire hazard upon any risk, shall be given by the county fire
9 chief to any rating bureau making written request of the fire
10 chief therefor.

11 (e) Each county fire chief [~~is~~] shall be vested with the
12 power and jurisdiction over, and shall have supervision of,
13 every building and premises in the county as may be necessary to
14 enforce any law, ordinances, rule, and order relating to
15 protection from fire loss; provided that this provision shall
16 not in any manner limit the jurisdiction or authority [~~which~~]
17 that any other county official may have over [~~such~~] the building
18 or premises under any other law or ordinance. Whenever as a
19 result of inspection or upon complaint or otherwise the county
20 fire chief determines that a law, ordinance, rule, or order
21 relating to protection from fire loss has been violated or that



1 a condition exists ~~which]~~ that creates an unreasonable risk of
2 fire loss, the fire chief shall prepare and serve upon the
3 owner, occupant, or other person responsible for the building or
4 premises a written order setting forth the nature of the alleged
5 violation or condition, the law, ordinance, rule, or order
6 violated, and the protections, safeguards, or other means or
7 methods required to render the building or premises safe as
8 required by law, ordinance, or rule. The order shall be
9 complied with by the owner or occupant or person responsible for
10 the building or premises within the time therein specified
11 unless a timely appeal is taken pursuant to subsection (f) of
12 this section.

13 (f) Owner's appeal to county fire appeals board. The
14 owner or occupant may, within five days, appeal from any order
15 made by the county fire chief to the county fire appeals board,
16 which shall, within thirty days, and after a hearing pursuant to
17 chapter 91, review the order and file its decision thereon,
18 modifying, affirming, or revoking the order. Each county shall
19 by ordinance establish a county fire appeals board and shall
20 provide for its composition.



1 (g) Notwithstanding the provisions of subsection (e) of
2 this section where the county fire chief determines that a clear
3 and immediate risk of fire loss exists, the fire chief may after
4 notice to the owner or occupant or other person responsible for
5 the building or premises, and after a hearing pursuant to
6 chapter 91, order ~~[such]~~ the person to take all actions
7 reasonably necessary to render the building or premises safe
8 from fire loss; provided that no notice or hearing shall be
9 required where the county fire chief determines that the risk of
10 fire loss is sufficiently immediate that delay would be
11 dangerous to the public safety and welfare. If any owner,
12 occupant, or other person responsible for the building or
13 premises fails to comply with the order of the county fire
14 chief, the county fire chief may take ~~[such]~~ action and make
15 ~~[such]~~ expenditure as may be necessary and if the owner,
16 occupant, or other person responsible neglects or refuses to pay
17 to the county fire chief the expense incurred by the fire chief,
18 the county shall have a prior lien on the real property as
19 provided for in section 132-7."

20 SECTION 9. Section 132-10, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "**§132-10 Witnesses; fees.** The county fire appeals board
2 ~~[or]~~, the county fire chief, or the state fire marshal shall in
3 all proceedings have the same powers respecting administering
4 oaths, compelling the attendance of witnesses and the production
5 of documentary evidence, and examining witnesses as are
6 possessed by circuit courts. In case of disobedience by any
7 person of any order of the county fire appeals board ~~[or]~~, the
8 county fire chief, or the state fire marshal or of any subpoena
9 issued by ~~[either]~~ any of them or of the refusal of any witness
10 to testify to any matter regarding which the witness may be
11 questioned lawfully, any circuit judge, on application by the
12 county corporation counsel, shall compel obedience as in case of
13 disobedience of all requirements of a subpoena issued from a
14 circuit court or a refusal to testify therein. The fees and
15 traveling expenses of witnesses shall be the same as are allowed
16 witnesses in the circuit courts and shall be paid by the
17 appropriate county out of any appropriation or funds available
18 for the expenses of the county fire chief~~[or]~~ or, in the case of
19 a summons by the state fire marshal, shall be paid out of any
20 appropriation or funds available for the expense of the state
21 fire marshal."



1 SECTION 10. Section 132-11, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§132-11 **Recorded order of county fire chiefs and state**
4 **fire marshal as evidence.** A duplicate original of every order
5 made by each county fire chief shall be filed in the fire
6 chief's office, and [~~such~~] a duplicate original of every order
7 made by the state fire marshal shall be filed in the office of
8 the state fire marshal. A duplicate original shall be
9 admissible as evidence in any prosecution for the violation of
10 any of its provisions. Unless an appeal has been instituted and
11 is pending, the provisions of any order shall be presumed to be
12 reasonable and lawful and to fix a reasonable and proper
13 standard and requirement of safety from fire loss."

14 SECTION 11. Section 132-12, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "§132-12 **Court aid.** Each county fire chief or the state
17 fire marshal may invoke the aid of any court of competent
18 jurisdiction to enforce any order or action made or taken by the
19 fire chief or state fire marshal in pursuance of law."

20 SECTION 12. Section 132-13, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "**§132-13 Penalty.** Any owner, occupant, or other person
2 having control over or charge of any building, structure, or
3 other premises who violates any provision of this chapter or any
4 law, ordinance, or rule relating to protection from fire loss or
5 who fails or refuses to comply with any order of the county fire
6 chief or any order of the state fire marshal shall be fined no
7 more than \$2,500 or imprisoned no more than thirty days, or
8 both. Each day that a violation exists or continues to exist
9 shall constitute a distinct and separate offense for which the
10 violator may be punished. Penalties for continuing violations
11 shall be assessed from the earliest known date of the violation.
12 In addition to the penalty imposed under this section, counties
13 may assess and collect civil penalties based on the penalty
14 structure set forth by the state fire marshal pursuant to
15 section 132-P."

16 SECTION 13. Section 132-16, Hawaii Revised Statutes, is
17 amended by amending subsections (a) through (c) to read as
18 follows:

19 "(a) There is established a state fire council, which
20 shall be placed within the department [~~of labor and industrial~~
21 ~~relations~~] of defense for administrative purposes. The state



1 fire council shall consist of the fire chiefs of the counties,
2 the fire chief of the Hawaii state aircraft rescue fire fighting
3 unit, and a representative of the division of forestry and
4 wildlife of the department of land and natural resources. The
5 state fire council may appoint an advisory committee to assist
6 it in carrying out its functions under this chapter. The
7 advisory committee may include the heads of the various county
8 building departments, a licensed architect recommended by the
9 Hawaii Society of the American Institute of Architects, a
10 licensed electrical engineer and a licensed mechanical engineer
11 recommended by the Consulting Engineers Council of Hawaii, a
12 representative of the Hawaii Rating Bureau, a representative of
13 the Hawaii Fire Fighters Association, representatives of the
14 county fire departments, a representative of the Hawaii state
15 aircraft rescue fire fighting unit, a representative of the
16 division of forestry and wildlife of the department of land and
17 natural resources, and other members of the public as the state
18 fire council may determine can best assist it. The state fire
19 council shall elect a chairperson from among its members.

20 (b) In addition to adopting a state fire code pursuant to
21 section 132-3, the state fire council shall:



- 1 (1) Administer the requirements for reduced ignition
2 propensity cigarettes, in accordance with chapter
3 132C;
- 4 (2) Serve as a focal point through which all applications
5 to the federal government for federal grant assistance
6 for fire-related projects shall be made. Upon the
7 receipt of any such federal grants, the state fire
8 council shall administer those federal grants;
- 9 (3) ~~[Establish the terms of employment for the position of~~
10 ~~the state fire marshal; and]~~ Advise the governor and
11 state fire marshal on fire policy issues and serve in
12 an advisory capacity to the state fire marshal on
13 strategies for the implementation of fire and life
14 safety issues; and
- 15 (4) Appoint the state fire marshal.
- 16 (c) The state fire council may also:
- 17 (1) Appoint advisory committees comprising representatives
18 from each county fire department, a representative of
19 the Hawaii state aircraft rescue fire fighting unit,
20 and a representative of the division of forestry and
21 wildlife of the department of land and natural



1 resources to assist in drafting the state fire code
2 and coordinating statewide training, data collection,
3 and contingency planning needs for firefighters;

4 (2) Advise and assist the county and state fire
5 departments where appropriate; may prescribe standard
6 procedures and forms relating to inspections,
7 investigations, and reporting of fires; may approve
8 plans for cooperation among the county and state fire
9 departments; and may advise the governor and the
10 legislature with respect to fire prevention and
11 protection, life safety, and any other functions or
12 activities for which the various county and state fire
13 departments are generally responsible; [~~and~~]

14 (3) Establish, in conformance with the adopted state fire
15 code and nationally recognized standards, statewide
16 qualifications and procedures, to be administered by
17 the county fire departments, for testing, certifying,
18 and credentialing individuals who perform maintenance
19 and testing of portable fire extinguishers, water-
20 based fire protection systems, other fire protection
21 systems, private fire hydrants, and fire alarm



1 systems; provided that the county fire departments may
2 establish and charge reasonable certification fees."

3 SECTION 14. Section 132-18, Hawaii Revised Statutes, is
4 amended by amending subsection (c) to read as follows:

5 "(c) The budgetary requirements for conducting meetings
6 and other related functions of the state fire council, including
7 the salaries of the administrator and administrative assistant,
8 shall be included in the budget of the department [~~of labor and~~
9 ~~industrial relations~~]."

10 SECTION 15. Section 291C-1, Hawaii Revised Statutes, is
11 amended by amending the definition of "authorized emergency
12 vehicle" to read as follows:

13 ""Authorized emergency vehicle" includes fire department
14 vehicles, police vehicles, ambulances, ocean safety vehicles,
15 law enforcement vehicles, [~~and~~] conservation and resources
16 enforcement vehicles, and office of the state fire marshal
17 vehicles authorized and approved pursuant to section 291-31.5
18 that are publicly owned and other publicly or privately owned
19 vehicles designated as such by a county council."

20 SECTION 16. Section 132-16.5, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§132-16.5] Office of the state fire marshal;~~
2 ~~established.~~ (a) ~~There is established the office of the state~~
3 ~~fire marshal within the department of labor and industrial~~
4 ~~relations. The office shall be headed by a state fire marshal,~~
5 ~~who shall be appointed by the state fire council to serve for a~~
6 ~~term of five years. The appointment of the state fire marshal~~
7 ~~shall be made without regard to chapters 76 and 89, and shall~~
8 ~~not be subject to the advice and consent of the senate. In the~~
9 ~~event of a vacancy, the state fire council shall meet~~
10 ~~expeditiously to select and appoint a new state fire marshal to~~
11 ~~serve the remainder of the unexpired term. The state fire~~
12 ~~marshal may hire staff as necessary.~~

13 ~~(b) The state fire marshal shall have the qualifications,~~
14 ~~experience, and expertise in fire safety, prevention, and~~
15 ~~control necessary to successfully perform the duties of the~~
16 ~~position.~~

17 ~~(c) The duties of the state fire marshal shall include but~~
18 ~~not be limited to:~~

19 ~~(1) Coordinating fire protection efforts between local~~
20 ~~agencies for the State;~~



- 1 ~~(2) Working with the state fire council on matters~~
2 ~~relating to fire services in the State;~~
- 3 ~~(3) Working with state and county law enforcement agencies~~
4 ~~for enforcement of the state fire code;~~
- 5 ~~(4) Reviewing and assessing the fire risk of the State;~~
- 6 ~~(5) Reviewing and proposing amendments to the state fire~~
7 ~~code and submitting the proposed amendments to the~~
8 ~~state fire council for the state fire council's~~
9 ~~consideration in its adoption of or amendments to the~~
10 ~~state fire code;~~
- 11 ~~(6) Reviewing the emergency resources that are available~~
12 ~~in the State to be deployed to address fires;~~
- 13 ~~(7) Assessing whether the State would benefit from a~~
14 ~~statewide public fire safety messaging program;~~
- 15 ~~(8) Assisting in the investigation of fires when requested~~
16 ~~by a county;~~
- 17 ~~(9) Conducting inspections of state buildings and~~
18 ~~facilities to ensure fire safety compliance;~~
- 19 ~~(10) Providing and coordinating public education and~~
20 ~~awareness on fire safety;~~



- 1 ~~(11) Overseeing the training and certification of fire~~
2 ~~inspectors and investigators in the State;~~
- 3 ~~(12) Maintaining records of all fires in the State,~~
4 ~~including the causes and circumstances;~~
- 5 ~~(13) Assisting in the disbursement of federal grants for~~
6 ~~structural fire protection purposes to the counties;~~
7 ~~and~~
- 8 ~~(14) Performing other duties as necessary or delegated by~~
9 ~~the state fire council.~~

10 ~~(d) In carrying out the duties of this section, the state~~
11 ~~fire marshal may utilize the services of the state fire council,~~
12 ~~including its advisory committees and administrative staff, as~~
13 ~~appropriate."]~~

14 SECTION 17. Chapter 132, Hawaii Revised Statutes, is
15 amended by designating sections 132-1 to 132-19 as part I and
16 inserting a title before section 132-1 to read as follows:

17 **"PART I. GENERAL PROVISIONS"**

18 SECTION 18. All rights, powers, functions, and duties of
19 the department of labor and industrial relations regarding the
20 state fire council are transferred to the department of defense.
21 All officers and employees whose functions are transferred by



1 this Act shall be transferred with their functions and shall
2 continue to perform their regular duties upon their transfer,
3 subject to the state personnel laws and this Act. No officer or
4 employee of the State having tenure shall suffer any loss of
5 salary, seniority, prior service credit, vacation, sick leave,
6 or other employee benefit or privilege as a consequence of this
7 Act, and such officer or employee may be transferred or
8 appointed to a civil service position without the necessity of
9 examination; provided that the officer or employee possesses the
10 minimum qualifications for the position to which transferred or
11 appointed; and provided that subsequent changes in status may be
12 made pursuant to applicable civil service and compensation laws.
13 An officer or employee of the State who does not have tenure and
14 who may be transferred or appointed to a civil service position
15 as a consequence of this Act shall become a civil service
16 employee without the loss of salary, seniority, prior service
17 credit, vacation, sick leave, or other employee benefits or
18 privileges and without the necessity of examination; provided
19 that such officer or employee possesses the minimum
20 qualifications for the position to which transferred or
21 appointed. If an office or position held by an officer or



1 employee having tenure is abolished, the officer or employee
2 shall not thereby be separated from public employment, but shall
3 remain in the employment of the State with the same pay and
4 classification and shall be transferred to some other office or
5 position for which the officer or employee is eligible under the
6 personnel laws of the State as determined by the head of the
7 department or the governor.

8 SECTION 19. All rules, policies, procedures, guidelines,
9 and other material adopted or developed by the department of
10 labor and industrial relations to implement provisions of the
11 Hawaii Revised Statutes that are reenacted or made applicable to
12 the department of defense by this Act shall remain in full force
13 and effect until amended or repealed by the department of
14 defense pursuant to chapter 91, Hawaii Revised Statutes. In the
15 interim, every reference to the department of labor and
16 industrial relations or director of labor and industrial
17 relations in those rules, policies, procedures, guidelines, and
18 other material is amended to refer to the department of defense
19 or adjutant general, as appropriate.

20 SECTION 20. All deeds, leases, contracts, loans,
21 agreements, permits, or other documents executed or entered into



1 by or on behalf of the department of labor and industrial
2 relations, pursuant to the provisions of the Hawaii Revised
3 Statutes, that are reenacted or made applicable to the
4 department of defense by this Act shall remain in full force and
5 effect. Upon the effective date of this Act, every reference to
6 the department of labor and industrial relations or the director
7 of labor and industrial relations therein shall be construed as
8 a reference to the department of defense or the adjutant
9 general, as appropriate.

10 SECTION 21. All appropriations, records, equipment,
11 machines, files, supplies, contracts, books, papers, documents,
12 maps, and other personal property heretofore made, used,
13 acquired, or held by the department of labor and industrial
14 relations relating to the functions transferred to the
15 department of defense shall be transferred with the functions to
16 which they relate.

17 SECTION 22. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so much
19 thereof as may be necessary for fiscal year 2025-2026 and the
20 same sum or so much thereof as may be necessary for fiscal year



1 2026-2027 for the operations and work of the office of the state
2 fire marshal.

3 The sums appropriated shall be expended by the office of
4 the governor for the purposes of this Act.

5 SECTION 23. In codifying the new sections added by section
6 2 of this Act, the revisor of statutes shall substitute
7 appropriate section numbers for the letters used in designating
8 the new sections in this Act.

9 SECTION 24. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 25. This Act shall take effect on July 1, 3000;
12 provided that section 22 of this Act shall take effect on July
13 1, 2025.



Report Title:

DOD; DLIR; State Fire Marshal; State Fire Council; State Fire Codes; Appropriation

Description:

Effectuates the recommendations of the "Phase 3" Forward-Looking Report by Fire Safety Research Institute on the August 2023 Maui wildfires and further clarifies the role of the State Fire Marshal. Appropriates funds. Effective 7/1/3000. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

