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## STATE FIRE COUNCIL (SFC) FISCAL YEAR (FY) 2020-2021 THIRD QUARTER MEETING MINUTES

Date and Time: February 12, 2021, 9:00 a.m.

Place: Meeting held by audioconferencing pursuant to Governor David Y. Ige's Emergency Proclamations, which can be found at <https://governor.hawaii.gov/category/covid-19/covid-19-emergency-proclamations/>, and Mayor Kirk Caldwell's Emergency Proclamations and Orders, which can be found at <https://www.honolulu.gov/mayor/proclamations-orders-and-rules.html>.

### Present:

Manuel P. Neves	SFC Chair Fire Chief, Honolulu Fire Department (HFD)
Robert Perreira	Acting Fire Chief, Hawaii County Fire Department (HCFD)
David Thyne	SFC Member Fire Chief, Maui Department of Fire and Public Safety (MFD), Maui County
Steven Goble	SFC Member Fire Chief, Kauai Fire Department (KFD)
Doris Dvonch for Adam Rosenberg	Deputy Attorney General Department of the Attorney General State of Hawaii
Lloyd Rogers	SFC Administrative Specialist (AS) III
Gary Lum	SFC AS II

Gary Honold            Regional Director, Northwest Field Office  
                             National Fire Protection Association (NFPA)  
                             (Honold joined meeting at 1:31:10 on the recording)

Carol Suzuki           SFC Secretary

I. Introduction

- A. Chair Neves called the meeting to order at 9:01 a.m. Hawaii Standard Time (HST). This meeting was recorded.

Chair Neves welcomed everyone. There were no public comments.

- B. Approval of the SFC FY 2020-2021 Second Quarter Meeting Minutes (1.35 on the recording)

Chair Neves requested a correction to the minutes. Chief Perreira is not an official member.

Member Thyne requested correction to item II.B.1.a. Grants as two items were combined into one. Member Thyne will take this administrative matter up offline line with AS's Rogers or Lum regarding his statement. [LG(1)]

Motion: Member Goble motioned to accept the SFC FY 2020-2021 Second Quarter Meeting Minutes with proposed revisions as noted above. Member Thyne seconded the motion. The motion passed.

Record of Votes: Chair Neves - Aye  
                             Member Thyne - Aye  
                             Member Goble - Aye

- C. Approval of Agenda (5:40 on the recording)

Motion: Member Goble motioned to approve the agenda, Member Thyne seconded the motion. Hearing no opposition, the agenda was approved.

Record of Votes: Chair Neves - Aye  
                             Member Thyne - Aye  
                             Member Goble - Aye

II. Member Reports on SFC County/State Issues

A. Robert Perreira, Acting Fire Chief, HCFD (6:50 on the recording)

1. Grants

- a. Chief Perreira will be speaking with the Mayor, the Managing Director and the Finance Director to request personal protective equipment (PPE) for the increase in staffing through the Daniel R. Sayre Memorial Foundation.
- b. The HCFD submitted a request for the Assistance to Firefighters Grant (AFG) to fund the purchase of twenty-one (21) extractors to use \$25,000 of the \$345,000 AFG's grant awarded to order needed PPE for the 2019 Novel Coronavirus (COVID-19) pandemic's future response.
- c. The HCFD applied for a U.S. Department of Agriculture (USDA) grant to obtain fire fighting bunker gear for Pahala and other remote stations on southeast side of the island. The Sierra Foundation granted their 2021 priority requests. They are also sponsoring two rescue watercraft and training to the Ocean Safety Division. Two brush tanker fire trucks for the North Kohala Fire Station continue to be built in Boise, Idaho with an expected completion date of March 2021 and delivery shortly thereafter. The apparatus coming from Louisiana should be ready by end of February and is being inspected in the next two weeks. The first brush tanker will be assigned to South Kohala and the second to North Kohala. HCFD just deployed two Kovatch Mobile Equipment fire trucks to Fire Station 7—Kailua, and Fire Station 17—Laupahoehoe. A Pierce pumper went to Fire Station 20—Ocean View. Apparatuses came in December and were disseminated to fire stations in January.

2. County Issues

- a. HCFD's FY 2020-2021 budget was reduced with no supplemental budget approved by the County Council. The Coronavirus Aid, Relief, and Economic Security (CARES) Act funding will help reduce the budget shortfall.
- b. COVID-19 response mitigation continues with the HCFD's Fire Prevention Bureau leading the Prevention & Education Task Force, serving on the rules committee, and also assisting with vaccination plans and sites. Hawaii island is seeing lower numbers of COVID-19 cases and testing continues to be done at airports.

- c. Mayor Mitch Roth is back in the office after having been out on medical leave.
- d. The island is experiencing funding shortfalls in ocean safety. Hawaii County is picking up the tab for Hapuna Beach. State funding for Manini'owali Beach (Kua Bay) ends this June. The HCFD will be lobbying legislators and representatives for funding of state beach parks. If not successful in obtaining State funding, the HCFD will work with the county for funding in order to provide services.
- e. Chief Perreira spoke with Human Resources regarding ongoing contract negotiations. The Managing Director and Mayor will be addressing the issues. HCFD has a verbal agreement, but have not received an executed signed contract for FY 2020-2021. Chief Perreira reached out to negotiation team members Dr. Bronstein and Terry Joyce to obtain the HCFD contract which they have been assured that HCFD will get what was promised, with the second allotment being smaller as it will include a 2.5% decrease. When the contract cost is received, the HCFD will move forward on the county funding for fiscal year 2021-2022.

### 3. Other Matters

- a. The State is looking to cut 2.5% from the emergency medical services (EMS) budget to mitigate the budget shortfall this fiscal year.
- b. There were three Battalion Chief promotions. HCFD will be conducting interviews to fill the Battalion Chief of Training vacancy. Other promotions include five captains, six fire equipment operators, and four paramedics. HCFD continues to actively fill vacancies. A physical aptitude exam (PAE) will be administered on February 27 for a new fire fighter recruit class and plans are to hire by June 1, 2021. The class is small, but may increase pending approval of a supplemental budget request submitted to the Mayor and the Finance Department. Regarding the Fire Chief recruitment, four applicants took the written assessment on January 27, 2021. Oral interviews will be conducted on March 10, 2021, and the Fire Commission will announce the selection of the new Fire Chief by April 1, 2021.
- c. Since the State fire code amendments have been approved, the Prevention Bureau is working on amendments to the 2018 county fire code.

- d. The HCFD Training Bureau consists of 3 captains and 1 driver trainer. A Battalion Chief is being added in an attempt to increase training. Recruit Training Officers (RTOs) are brought in on a voluntary basis when there is training, increasing the staff by 4 to 6 people. The vision is to increase the Training Bureau personnel.

B. Member Steven Goble, KFD (18.45 on the recording)

1. Grants

- a. The FY 2019 - 2020 funding to cover the cost of ocean safety staffing for Keehi Beach was cut. This fiscal year grant funding covered the cost. The KFD will be looking for resources to cover the FY 2021 - 2022.
- b. The AFG will be used to purchase communication equipment to enhance radio communications capability on their helicopter, mobile equipment, and replacement brush trucks that have aged. Typically, brush trucks are used for their hauling platforms. The KFD will continue to use a 55 chassis and focus on suppression capabilities on a brush truck.
- c. The AFG Fire Prevention and Safety Grant will be used to support efforts to enhance multi-media equipment so that KFD will be capable of producing educational videos for schools and the general public when in person visits are not possible. Captain Jeremie Makepa's vision is to also include virtual station tours filmed with a drone flown through the station. He succeeds Captain Daryl Date who retired on December 31, 2020.
- d. The Staffing for Adequate Fire and Emergency Response grant application is pending interpretation from the Federal Emergency Management Agency (FEMA).

2. County Issues

- a. KFD's field incident management team reports that COVID-19 is draining resources.
- b. Voluntary vaccination of all fire fighters has not been as good as Member Goble would have liked as personnel trickled in when they saw no side effects.

### 3. Other Matters

- a. Eight captains, eight fire fighter (FF) III's and 2 FF II's were promoted in January 2021. Twelve vacancies resulted from the retirement of Captain Date; one battalion chief, eight captains, and two fire fighter II's. KFD has approval to fill the 12 vacancies and are fast-tracking recruitment targeting to fill positions by May 1, 2021. KFD partners with the State Airport Rescue and Fire Fighting academy to train recruit personnel. Chief Michael Gibson has been appointed to serve as the KFD's Deputy Fire Chief. He is a retired Battalion Chief from Nevada and has been on Kauai for four years helping KFD in various ways.
- b. County administration is requesting the KFD take a 2.5% reduction in their operating budget this fiscal year. The KFD will make adjustments to comply. Personnel costs continue to increase; capital improvement program (CIP) projects will be prioritized by health and safety and will be limited to budget projections.
- c. KFD is expecting delivery of a fire apparatus from Rosenbauer in April and pumper in March 2021.

### C. Member David Thyne, MFD (31.30 on the recording)

#### 1. Grants

- a. The Hawaii Professional Firefighters Foundation granted funds for the following:

The MFD received a high pressure pump for the mule from HMA Fire. The high pressure pump is compact and can fit on the back of an all-terrain vehicle (ATV).

- 1) A pump for a pickup truck needs a Darley skid mount but they have specifications and parts for a skid mount that in-house mechanics will assemble and install.

Member Goble requested that member Thyne send him cost information on the skid mount for a truck chassis. Member Thyne stated that he will send him the specifications on several models.

- 2) A trailer 4 is pending delivery from Allied Machinery. A quad is needed for the Makena, Wailea, La Paerouse, lava fields, and dry south leeward side of the island. It is a multi-use utility terrain vehicle (UTV) vehicle with a pump on it with the ability to lift pump off and transport people out of lava fields.
  - 3) Hoses ordered from Hawaii Specialty Vehicles are pending delivery.
- b. The MFD applied for a FEMA AFG-COVID-2020 Grant to purchase 1,000 N-95 masks and 1,000 gowns.
  - c. At the end of the pandemic, the MFD will have 60 days to apply for the Hawaii Emergency Management Agency's COVID-19 grant that will reimburse 75% of COVID-19-related items.
  - d. The Community Development Block Grant awarded was used to purchase a replacement mini 7 pumper for the Hana Fire Station. MFD will reapply again next year for a grant to purchase an engine for the Hana Fire Station as the grant was denied because of a pending lawsuit, which has since been resolved.
  - e. A transportation grant was used to purchase airbag kits to replace first issued expired airbag kits.
  - f. The AFG grant was used to purchase 120 air cylinders from Mine Safety Appliances which brought MFD's inventory up to date.
2. County Issues
- a. A virtual COVID-19 mid-term inspection using iPads was performed on three vehicles. It was a comprehensive process they tried to do virtually and some discrepancies were found. Two type one engines and a mini pumper were at mid-point and once a punch-list of items are completed, the vehicles will be painted and head towards a final inspection and delivery.
  - b. Engine 2 and Utility 4 are scheduled for delivery to the Paia Fire Station and Kaunakakai Fire Stations respectively. A pick-up truck will be delivered for a battalion chief.

### 3. Other Matters

- a. The 37<sup>th</sup> recruit class will consist of 20 to 25 fire fighters. The physical agility test is tentatively scheduled for March 2021. Currently, the plan is to hire about 15 fire fighters. The MFD is negotiating with Chief Jacobs of the State Airport Rescue Fire Fighting Unit to accommodate 5 of their recruits into the class.
- b. Five Captains and five FF III's were promoted effective January 16, 2021.
- c. Effective January 1, 2021, the MFD was reorganized to split human resources (HR) and budget accountants into a fiscal section with the HR section under one supervisor and additional staff.
- d. A strategic planning meeting was held with 45 members. The goal is to have the strategic plan published by the end of March 2021.
- e. Fire Prevention Captain Paul Haake mentored Inspector Ryan Otsubo to replace him. Otsubo is looking forward to working on SFC's Fire Prevention Committee.
- f. In a budget meeting with the Mayor, MFD was directed to do more with less, with no mention of any percentage cut to the budget. MFD got most of what was requested and the budget is pending approval by the County Council.
- g. Members discussed whether the orientation classes of Captains and FF III's is needed when many of the attendees have been on temporary assignment (TA). Member Thyne stated that Maui County includes Molokai, which is remote, so MFD may produce an orientation video to avoid travel. The orientation usually includes topics such as payroll, workers' compensation, and other processes that personnel may have not done while on TA. Chief Perreira remarked that there are inconsistencies in the process from the top down so training provides consistency for captains and supervisors. Sometimes forms, and reports, and procedures change so it is an opportunity to be updated. Chair Neves added that when on TA, incumbents may have been teaching outdated process.



D. Chair Neves, HFD (49.15 on the recording)

1. Grants

- a. HFD applied for an AFG grant to cover the cost of HFD's top priority, which is to offer cancer screening for fire fighters. The Queen's and Straub Medical Centers have partnered with the HFD to screen fire fighters for cancer.
- b. The HFD plans to purchase a few more forcible entry props to enhance training because first responders and the Honolulu Police Department (HPD) have requested the use of the props.

2. County Issues

- a. The Charles H. Thurston's Training and Research Bureau has continued to keep classes in a tight bubble because of COVID-19. In preparation for the rail to start operating in March 2021, all fire fighters have been trained on emergency operations on the rail.
- b. The apparatus listed in Chief Neves' report are still under construction. HFD received an additional 11 Rapid Response Vehicles (RRV) for a total of 16 RRV's. There are three or four RRV's that have not gone into service, as the vehicles need to have vinyl graphics applied and radios, sirens and other equipment need to be installed. All 16 vehicles will be at fire stations with aerials and used for medical calls, which will result in less wear and tear to the aerials. The cost to operate RRV's is 28 cents vs. \$4.80 a mile for an aerial apparatus and RRV's are easier to clean and sanitize. The Hawaii Occupational Safety and Health office inspects vehicles for contaminants, which is a serious violation if discovered.

Chair Neves responded to questions asked by members relating to RRV callouts. There are 63 staffed apparatuses. No crew is left back at the station on calls. If activated, the entire ladder crew responds on the apparatus and when activated for medical calls, the entire crew responds with the RRV. In 2020 there were only two incidents of back-to-back alarms and both were for medical runs. Out of 150 alarms a day, 70% of runs are medical in nature. From a risk management standpoint, staff would be in the proper vehicle. It is highly unlikely that there would be a back-to-back fire call. RRV's are stationed with aerials and there is an engine there to go to the second alarm. A ladder can be called in from somewhere else. In the long run, HFD may consider

staffing RRV's independently. RRV's are outfitted with standard medical supplies and have minimal capability for forcible entries. Aerials are always sent first for medical calls and engines are kept in quarters in case of a fire or other incidents.

- c. The HFD is soliciting bids for two ladders, two quints and two more sport utility vehicles (SUV) in the procurement process.
- d. Status of Facilities
  - 1) The relocation of the Waialua Station is still in the design phase.
  - 2) The relocation of the Wailupe Fire Station is in the planning and design phase.
  - 3) The Pearl City Fire Station relocation is being finalized with the State Library.
  - 4) The Kaneohe and the Manoa Fire Stations future build is still pending.
  - 5) The Administration had asked HFD for a small reduction in the budget for this fiscal year and the HFD was able to comply. The CIP budget is required to adequately maintain facilities.
- e. Chair Neves has been working on building a multi-jurisdictional training center project since he became the HFD's Fire Chief. State senators set aside a couple hundred acres at the Mililani Tech Park for this project. In an effort to save time and money, HFD is partnering with HPD to renovate a recently vacated aircraft hangar located at the Park. The estimated cost for the project is \$139 million. Senators Dela Cruz and Kidani initiated discussions to include all federal law enforcement partners. The State wants to also include information technology (IT). Law enforcement agencies would be situated at the entry gate. The project has had its stops and starts at the state and federal level. There are many partners to deal with in setting up a multi-jurisdictional training site for first responders. The facilities will include joint use facilities such as driver training, large auditoriums, dormitories, and many individual facilities as well. Classrooms would be joint and run on a sign-up-for-use basis. Member Thyne said that MFD also has a training center in their strategic plans, and congratulated Chair Neves for assisting with this project this far.

- f. The HFD was asked to reduce its fiscal year 2022 budget by \$3 million and HFD was able to comply. The county is still looking for more money, and HFD is scheduled to present its budget to the City Council in March 2021. The HFD will await the final budget determination.
- g. The capital improvement budget includes building improvements to maintain existing stations, fire station relocations and design, and equipment consisting of 3 engines, one aerial, SUV's, and other items.

### 3. Other Matters

- a. The 108<sup>th</sup> Fire Fighter Recruit (FFR) class graduated in January 2021. A drive-in movie style graduation ceremony was held with families parked in cars witnessing graduation in a glass building. The 109<sup>th</sup> recruit class is in session and will graduate in June 2021. Recruit classes are normally 40 to 50 people per class, but there are 22 recruits in this class. Recruit classes are run concurrently, thus, the 110<sup>th</sup> FFR I's and the next FFR II's class (those who have a certifications earned at Honolulu Community College), are starting in March 2021.

In response to Chief Perreira's question, Chair Neves explained that fire certifications allow a shorter time in the classroom. Generic certifications are recognized nationally. FF I's and II's have a Hazardous Materials awareness and operations training and the National Registry of Emergency Medical Technicians training. By completing the five certifications, recruits can be considered a FFR II which reduces the recruit class from 8.5 to 4 or 5 months. Salary savings to the department is in man-hours not spent training the recruits, and vacancies are filled quicker. FFR II's start at the salary rate (SR) of SR-16. FFR I's start at the SR-15. After one year of employment the FFR II is upgraded to an SR-17.

- b. In calendar year 2020 there were 56 separations/retirements. There are 77 vacant positions out of 1,200 positions in the HFD as of December 31, 2020. There were 21 promotions to captain in December and some in January. The HFD is also planning to promote FF II's and FF III's.
- c. Eight hundred twelve HFD employees have been vaccinated for a 70%+ immunization rate. Since March 2020, there have been 32 positive cases in the HFD. Since the summer of 2020, the HFD continues its involvement as part of the COVID-19 vaccination incident management team for the City, and is carrying the bulk of the work

load. They will continue until April and beyond in helping the general public.

- d. Money from the CARES Act was approved. Most of the \$8.3 million will be spent on PPE, i.e., decontaminators, extractors, and refrigerator containers to hold vaccines. The HFD has the capability to hold vaccines in three refrigerated containers, which can also be converted into portable morgues should the need arise as the containers have racks. Overtime for COVID-19 testing is not affecting on duty operations. There are 700 off duty fire fighters daily. The HFD is able to maintain COVID-19 testing by using off duty volunteers to man testing sites.
- e. The HFD will once again be handling firecracker permits and will be processing permits electronically starting with the Chinese New Year on February 12, 2021. The process has been successful when used.
- f. The HFD accreditation was delayed because of the COVID-19 pandemic. A five member peer assessment team conducted the assessment, with four members on-site and one member performing a virtual assessment. They recommended accreditation in January and the HFD was awarded its fifth consecutive accreditation from the Commission on Fire Accreditation International (CFAI). The HFD is now accredited until 2026.

### III. SFC Quarterly Update (1:13:15 on the recording)

#### A. Status of the State Fire Code

##### *Discussion on the Amendment Revisions to the National Fire Protection Association (NFPA) 1 Fire Code, 2021 Edition*

AS Lum said Gary Honold of NFPA is going to offer training and seminars for Fire Prevention Committee members regarding substantial changes to the 2021 code. AS Rogers spoke with him about training and he would like to offer virtual or in person training for all counties that is still to be determined. Honold also offered to execute an agreement with the State to allow NFPA to publish the national fire code inclusive of the Hawaii state amendments incorporated into it. The SFC is still waiting for DAG Rosenberg (DAG) to determine whether an agreement is possible or not. DAG Dvnoch reported that the DAG had mentioned this to her, and she will follow up with him and have the DAG report back on it. AS Rogers clarified that previously the issue was that amendments are considered State property. At the time of that determination, SFC was

working on administrative rules which needed the Governor's signature. AS Rogers is not sure if amendments can still be considered State property as no State employee worked on the amendments to the national code; it was all county employees. At 1:31:10 on the recording, Mr. Honold joined the meeting and said that he is waiting to hear from the DAG if they can print and distribute the incorporated amendments or not. He requested a letter from the DAG in order to print intellectual property and distribute the publication under Hawaii regulations.

Mr. Honold also proposed to offer a posted option training for NFPA 1 and 101 virtually, and have the opportunity for each county to have posted option training on the reference NFPA 1372, and on the commercial cooking systems out of NFPA 96, and some onsite training once we know what COVID-19 quarantine and travel restrictions will be. AS Rogers and Lum will follow up for DAG's determination and on the NFPA training.

In the near future, the Fire Prevention Committee will be meeting with its new members to discuss revisions to the 2021 edition of the NFPA 1 Fire Code.

#### B. State Building Code Council

The State Building Code Council (SBCC) met on January 19, 2021 and approved the final amendment package to the 2018 State Fire Code. The code is based on the National Fire Protection Association (NFPA) 1 Fire Code 2018 edition and will be the basis for each county to adopt their own county fire code as an ordinance.

#### C. State Training and Education

Nine classes were selected by the four county fire departments, and the first two classes of the two-day National Fire Academy (NFA) classes were cancelled due to COVID-19 restrictions. AS Lum received a request today to cancel the April 29- 30, 2021, classes scheduled to be held on Maui. The six-day class scheduled on fire inspections principles was also cancelled. Member Goble requested if these NFA classes can be delivered virtually. AS Lum will find out and inform everyone.

#### D. Reduced Ignition Propensity Cigarette (RIPC) Program

In January 2021, SFC resumed the purchase of cigarettes to send to independent RIPC approved testing labs. In an effort to ensure stores only sell RIPC manufacture-approved cigarettes, inspection of stores on Oahu resumed in late January 2021 to date.

The following is an overview of revenue and expenditures from the RIPC Special Fund:

**RIPC Special Fund FY21  
 (As of September 30, 2020)**

Total Beginning Balance	\$ 649,721.79
Revenues and Interest	\$ 141,029.74
Service Fees to the C & C of Honolulu (Salaries, Testing Expenses)	\$ 75,000
Other Expenses (Supplies, Postage, Printing, Travel, Rental, Cigarettes, Fees, and Misc.)	\$ 1,269.01
C & C of Honolulu Expenditures	\$ 44,831.09
C & C of Honolulu Balance	\$ 30,168.91
RIPC Special Fund Balance	\$ 714,482.52

E. Fire Protection Systems Administrative Rules

AS Lum stated that the SFC continues to review and recommend approval for certificate of fitness (COF) applications for personnel who inspect, test, and maintain fire protection systems in the four counties. The categories of the COF are portable fire extinguishers, water based fixed extinguishing systems, non-water based fixed extinguishing systems, fire alarm systems, and private fire hydrants.

F. Youth Fire Prevention and Intervention Program. The SFC administrative specialists and HFD Information Specialist Mikiala met with Chair Neves regarding the database and confidentiality issues. Issues were resolved to the Chair's satisfaction so Honolulu will use the Youth Firesetting Information Repository & Evaluation System (YFIRES) database to track cases. Other counties are invited to join and will need to send their request to AS Rogers or AS Lum to gain access to the system. AS Lum will follow up to inquire if each person will have a unique login and will inform members of the answer.

IV. 2021 Legislative Bill Proposal Status (1:20:00 on the recording)

A. Many proposals are carryovers from last year.

1. A bill to allow the use of the RIPC special fund to provide funding for SFC programs. AS Rogers reported that a hearing was held on the measure yesterday. The Committee on Health, Human Services, and Homelessness passed the measure.
2. A bill to allow first responders who successfully complete the National Registry of Emergency Medical Technicians training to be State licensed, even though they don't work on an ambulance.
3. A bill to require licensed general contractors to provide potential buyers with cost estimates for a residential fire sprinkler system died.
4. A bill to require sellers of residential buildings to provide approved smoke alarms died.
5. A bill which proposes to provide a State tax credit for the installation of automatic residential fire sprinkler system died.
6. A bill repealing Act 53 and authorizes counties to adopt codes and regulations requiring installation of residential sprinkler systems died.
7. A bill that would provide tuition waivers for a surviving spouse and dependent children of fire fighters who die in the line of duty, or who are permanently disabled due to traumatic injury sustained in the line of duty died.
8. A bill which would have provided flexibility in employing personnel to administer the RIPC program died.

There are also a number of bills regarding curtailing the use of fireworks in response to the proliferated use of illegal aerials. The inspection of shipping containers proposal died. There is one measure that penalizes illegal aerials with violation of air and noise pollution laws. AS Rogers received input from the State Department of Health, Air Pollution Branch, who commented that while they support the measure, it would be extremely difficult for them to identify the volume of air pollutant emissions and type, or distinguish emissions from illegal vs. legal fireworks when they are going off at the same time. The bill passed out of committee anyway. Member Ferreira agreed that it'd be challenging if not impossible to enforce such a law. AS Rogers said everybody knows illegal fireworks are being brought into the State via the harbors, but there does not seem to be the will by the legislature to pass a law requiring inspections.

V. New Business

Designation of Authority for the 2021 Legislative Session 1. (1:34:25 on the recording)

Although not on the agenda; DAG Dvonch was asked if members can still appoint a vice chair in view of Chair Neves' retirement at the end of February 2021, as the SFC would not have anyone to sign legislative testimony. She stated that the appointment is tied to designation of authority so a Vice Chair can be appointed. Chair Neves suggested designating Member David Thyne as Vice Chair as he is most senior. Member Thyne declined the appointment as he anticipates retiring before the end of the year. Member Goble was nominated to serve as Vice Chair.

Motion: Chair Neves motioned to appoint Member Goble as the SFC Vice Chair and Member Thyne seconded the motion. The motion passed.

Record of Votes: Chair Neves - Aye  
Member Thyne - Aye  
Member Goble - Aye

Normally the SFC Chair has been the Honolulu Fire Chief because the SFC is physically close to the State Legislature. The SFC staff will work with Vice Chair Goble to expedite the Legislative testimonies. In April we may have a quorum again if Hawaii County appoints their Fire Chief. AS Rogers recommended that because we are in a unique situation with no quorum, having a Vice Chair at least until the end of the year will be better as Honolulu should have a newly appointed Fire Chief by then and the SFC can have an official election of officers again.

AS Rogers said SFC will be sending testimony electronically to Member Goble for editing and signing. He can then email it back to SFC for submission to the legislature which all has to happen within 24 hours. Chair Neves' secretary will no longer review testimony for editing, so it will be up to Vice Chair Goble's secretary or staff to review before sending testimony back to the SFC. Chair Neves explained that his secretary looks at it because his signature is on it, so Vice Chair Goble will have the last look before it gets sent out. Vice Chair Goble affirmed his understanding. AS Rogers stated that actual or stamped signature would be acceptable.

The SFC's testimony is submitted on the State Department of Labor and Industrial's letterhead, but the other counties should submit their testimonies on their department's letterhead. The SFC is regarded as a state agency so the additional testimony from the counties is highly recommended, and gives the impression that the counties are united and supportive. Regarding the lead time in



which to submit testimony, AS Rogers stated that testimony can be sent as late as day of the hearing. AS Lum added that all SFC members and their secretaries have been added to the legislative tracker emails so there is ample opportunity to read the email at the same time that SFC does. If any member wants to testify, they are free to draft testimony and not wait for the SFC.

AS Rogers commented that the SFC was just made aware of a lifeguard tort liability bill that the SFC has been supporting in the past. Kauai tried to make it permanent and wants to let everyone know that the topic comes up every year because there are sunset dates on the law. It appears that the law has not become permanent because the attorneys have a strong lobbyist. Vice Chair Goble stated that he was not familiar with the language of the bill.

VI. Next Quarterly Meeting (1:54:00 on the recording)

AS Rogers or AS Lum will notify everyone of when the next virtual meeting will be and will wait until the SFC has a quorum, perhaps by early May. The legislative session closes in May.

VII. Adjournment at 10:56 a.m.

Chair Neves thanked the Fire Chiefs and other attendees, as this will be his last SFC meeting. He is looking forward to enjoying retirement and his new role as a Grandpa to his eight weeks two months old granddaughter. Chair Neves is ready to pass the baton to a new generation. All members thanked Chair Neves for his leadership and wished him a long and healthy retirement.



STEVEN GOBLE  
Vice Chair