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STATE FIRE COUNCIL (SFC) FISCAL YEAR (FY) 2024-2025 SECOND QUARTER MEETING MINUTES

Date and Time: November 8, 2024, 1:00 p.m.

Place: Meeting held in person and via audioconferencing pursuant to HRS § 92-3.7. Remote meeting by interactive conference technology; notice; quorum. Effective: January 1, 2022

Present:

Kazuo Todd	SFC Chair and Fire Chief of the Hawaii County Fire Department (HCFD), Hawaii County
Bradford Ventura	SFC Member and Fire Chief of the Maui Department of Fire and Public Safety (MFD), Maui County
Michael Gibson	SFC Member and Fire Chief of the Kauai Fire Department (KFD), Kauai County
Martinez Jacobs	SFC Member and Airports Fire Chief Airports Division, Transportation Department (ARFF) State of Hawaii
Michael Walker	SFC Member and Fire Protection Forester Division of Forestry and Wildlife (DOFAW) Department of Land and Natural Resources (DLNR) State of Hawaii
Hiroyuki Takei	Deputy Attorney General (AG) Department of the Attorney General, State of Hawaii
Gary Lum	SFC Administrative Specialist III (AS)
Socrates Bratakos	SFC Administrative Specialist II
Michael O'Sullivan	Reduced Ignition Propensity Cigarette (RIPC) Administrator

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Guests:

Jason Samala	Deputy Fire Chief, Honolulu Fire Department
Daniel Volpe	Deputy Fire Chief, HCFD
Darwin Okinaka	Assistant Fire Chief, HCFD
Li-Ann Yamashiro	Deputy Attorney General (AG) Department of the Attorney General, State of Hawaii
David Rodriguez	Equal Opportunity Officer Department of Labor and Industrial Relations (DLIR) State of Hawaii
Gary Honold	Regional Director, Northwest Division National Fire Protection Association (NFPA)
Jeremy Criner	Regional Director, National Fire Protection Association (NFPA)
Elizabeth Pickett	Co-Executive Director Hawaii Wildfire Management Organization
Elizabeth Bryant	
Stan Fernandez	Deputy Fire Marshal for Alameda County, California
Thomas Heaton	Civil Beat, Reporter
Reid Mizue, AIA	Lead AP, 2023-2024 President American Institute of Architects (AIA) Hawaii State Council
Lorena Yamamoto	AIA Hawaii, Legislative Advocacy Committee
Kate Johnson	(Joined at about 2:35 p.m.; did not introduce self and did not turn camera on;)

Absent:

Sheldon Hao	SFC Vice Chair and Fire Chief of the Honolulu Fire Department (HFD) City and County of Honolulu
Carol Suzuki	SFC Secretary

I. Introduction

A. Call to Order at 1:03 p.m.

B. Introduction of Attendees and Public Comments

Attendees introduced themselves; there were no public comments.

B. Approval of the SFC FY 2025 1st quarter meeting minutes of August 12, 2024 and special meeting held on September 27, 2024.

Motion: To approve the August 12, 2024 meeting minutes.

All members voted in favor of accepting the minutes as written. The motion was carried.

Motion: To approve the September 27, 2024 meeting minutes.

All members voted in favor of accepting the minutes as written. The motion was carried.

D. Approval of Agenda

A motion was made to amend the agenda.

Motion: Add new item under new business regarding the licensed display fireworks permit form for uniformity amongst counties.

All members voted in favor of approving the agenda as amended; the motion was carried.

The request to add to the agenda the topic of the proposed legislative bill regarding workers compensation coverage for cardiac related disease was deferred until the next meeting, tentatively in December.

II. Old Business

A. Governor's ninth proclamation relating to affordable housing

The suspension of the State Building Code Council's ability to amend or update the state building codes remains in the current Governor's Emergency Proclamation Relating to Housing. New language was added regarding suspension of the two-year default deadline for counties to adopt state building codes. AIA Hawaii agrees.

B. Act 209 reporting requirements for SFC:

1. Appoint State Fire Marshal (SFM) for a term of five years.

Funding was recently received by DLIR. DLIR will be posting the recruitment notice in the week of Nov. 18, 2024. The process of selecting a fire marshal was discussed—draft questions, conduct interviews, recommendation to the full board for a vote selecting the candidate.

This meeting took a 10-minute break at 2:22 p.m. and reconvened at 2:32 p.m.

2. Establish the terms of employment for the position of the SFM.

Refer to SFC's draft report to the legislature on the State Fire Marshal's office.

Act 209 authorizes hiring and appointing a fire marshal for a five-year term, and forming a Permitted Interaction Group (PIG) consisting of SFC board members to interview candidates. The board shall establish a PIG—consisting of two or more members of the board, but less than the number of members that constitute quorum. Establish the scope of duties and other authorities of the PIG, and establish guidelines of what PIG members are looking for. Specifics are not available today and will be worked on by staff and the chair. PIG reports findings and recommendations to the board to vote and approve the selection.

3. Submit a report to the Legislature by November 1, 2024, which shall include (at minimum):
 - a. An organizational plan, including structure and personnel plan for the office of the SFM.

A draft report was presented for the council's review.

Motion: To approve the amended report as written with the above approved changes.

All members present voted in favor of the motion. The motion was carried.

- b. Description of the roles and divisions of responsibilities between the State and the counties, and the office of the SFM and the SFC, regarding fire prevention and response.

This topic was tabled for discussion via a special virtual meeting in late November or early December.

- c. Proposed operating budget for the office of the SFM.

After much discussion, the following motion was made.

Motion: Amend report to the legislature with new salary values to have numbers plus 50% as the salary range.

Motion: To approve the amended report as written with the above approved changes and send the report to the Legislature.

All members present voted in favor of the motion. The motion was carried.

C. State amendments to the National Fire Protection Association 1 Fire Code, 2024 Edition

1. State Fire Code Investigative Committee.

Report by AS Bratakos. Four county representatives attended this in person meeting in Honolulu. Kinoshita of Kauai was selected as Chair. NFPA provided table of sign 2021 to 24 electronically reviewed. State amendments to the 2021 fire code was distributed. At a previous meeting, 14 to 15 code amendments were drafted. A longer meeting will be scheduled next year to continue going through the code.

Honold added that NFPA changed how state amendments are done. State agency is responsible for "incorporation by reference" also known as "adoption." To aid agencies in amending the fire code, NFPA offers a platform called TERRA, that strikes existing language and adds in sections. Training will be provided for one person on the committee to input changes. Printed copies can be provided after review and approval. However, about 500 or so copies would need to be printed to make it worthwhile. State amended codes can also be accessed electronically on the document entitled, "NFPA 2021 edition with Hawaii state amendments." System offers sub-folders for counties. Further amendments made by counties will not be reflected on the state document.

2. Amendment package deadline September 2025; refer to §107-24 (c).

No discussion on this topic.

III. New Business

A. NFPA update.

Honold provides service to nine states. NFPA recently hired five new regional directors. Beginning January 2025 with the realignment of regions, each regional director will service four to five states. This allows Honold to devote time to address

issues important to Hawaii and focus on providing training and solutions. Encouraged SFC to engage him with stakeholders i.e., facility managers, architects, and engineers in hospitals, college campuses, airports who need exposure to code and training so that entire state will be on the same page.

NFPA 1010, 2024 edition is out. The new Chapter 5 is dedicated to addressing volunteer fire fighters. Public comments for the 2027 edition is open for public comments until January 2026. Technical committee will consider comments on all codes and standards, and will revise the 2027 edition as needed.

NFPA is creating a new standard on battery technology--NFPA 800. Looking to standardize battery technology--extraction of resources needed to construct, battery production, use and maintenance, and how to dispose of batteries responsibly.

If interested in sitting on a technical committee, NFPA pays 80% (airfare and hotel) of the cost for a member to participate on the committee to be part of the standards development process. Prudent to have people on the committee who are using the codes in the fields. At the start, there may be three technical committee meetings, virtual or in person—first to create a draft for public comment period, and second draft and submitted to the NFPA standards council before publication. Sign up for specific NFPA standards technical committees to get involved.

NFPA 1970, a new consolidated document that includes NFPA 1971, 1975, 1981 and 1982, standards for protective ensembles for structural and proximity fire-fighting work apparel, open circuit self-contained breathing apparatus for emergency services and personal alert safety systems pathogens. The document 2025 edition was just released and he recommends looking at 1970, especially if doing any PPE procurement, go to docu code page [NFPA.org/1970](https://www.nfpa.org/1970) as there have been four or five TIA's submitted and approved.

A new standard NFPA 420 on marijuana cultivating processing facilities is in draft form.

In September the annual urban fire forum was held and four position papers resulted from discussions, that Honold would highly recommend chiefs read. 1) Safe and ethical use of artificial intelligence, 2) Statement in support of considering enhanced decontamination methodologies of PPE following exposure to lithium ion battery fire, 3) Statement in support of further research of non BPap based PPE and in service training considerations, and 4) climate change position statement. Honold will send chiefs a link to position papers.

B. American Institute of Architects Honolulu (AIA Hawaii State Council)

Reid Mizue, AIA President Hawaii State Council; have 850 statewide members with chapters on Hawaii island and Maui. The organization addresses state-wide issues and advocates in the legislature, focusing on design and construction.

The governor's proclamation suspending the implementation of updates to the building code poses major problems for the building industry. AIA is glad to see that the SFC continues to review codes. When submitting plans for projects, it has been confusing to know which authority governs the plans review. SFC and AIA see it the same way, life safety is a priority. Mizue expressed desire to keep the three-year code cycle vs. changing the cycle to a six-year one as the change further delays code implementation. Also, AIA wants to see the State Building Code Council (SBCC) continue and not disbanded.

Mizue suggested that codes be amended based on county ordinances. Since the county councils are not bound by deadlines, if code changes are done per county ordinances, changes to codes can be made easier.

AIA is asking for support in their efforts to keep to a three-year code cycle and support to retain the SBCC.

Chief Todd said Hawaii island will honor the most current fire code for plans submitted for review. Mizue agreed that following the latest building code assures for the most safe designs. FEMA agrees with this as their funding is dependent on what code was applied to the building.

C. Hawaii Fire Chiefs Association Annual Conference 2024.

The 45th annual training and business conference will be held on Dec. 3 to 7, 2024 at the Hilton Hawaii Village. There are over 300 attendees registered and maxed out with 82 vendors. There are two tracks—a chief officer/management track, and a captain/firefighter/supervisory track. All hands-on training are filled. There will be a mahalo paina luau and a tour of the museum for vendors and attendees at the HFD headquarters to culminate the conference.

D. Proposed Reduced Ignition Propensity Cigarette (RIPC) fee increase

O'Sullivan, the RIPC administrator, explained the requirement based on the law; RIPC oversees compliance with the law. RIPC manages the manufacturers certification on a three-year cycle. Since 2009 when the program was implemented, the fee has been \$375 per brand style. O'Sullivan conducts and retains inspections, and purchases cigarettes for independent testing. Tests conducted and lab results are sent to us. In the past, 150 brand styles per year were tested with 68 cleared for sale in the state. The RIPC program is self-sufficient and does not cover doing additional testing. Collecting fees for 500 brands over a three-year cycle does not include cost for testing.

O'Sullivan wants to be able to sustain the program and maintain testing, proposes to raise fee to \$625. In order to test 700 in a 3-year cycle, estimates adjusting fees to \$750.

Discussion held regarding margin of error so as not to have a need to test all brand styles. It was suggested to determine the number to choose to test based on past experience of small failure results; need to justify need to test. Maybe only test new brands? Use funds on other fire preventive programs.

O'Sullivan to come up with a margin of error and the costs associated with testing to present at next SFC meeting with members voting on the plan.

E. Deputy Attorney General for SFC

DAG Yamashiro discussed that she had previous experience assigned to the SFC and that DAG Takei would be assigned to the SFC at this time.

F. Display Fireworks Statewide Permit Form

Per the August 12, 2024, SFC meeting, the Honolulu fire prevention chief drafted two forms to be used statewide. AS Lum will email forms to SFC members for each county's fire prevention bureau to review and approve. The forms will be discussed at the next SFC quarterly meeting.

IV. Next Quarterly Meeting

The third quarterly meeting for fiscal year 2025 is tentatively scheduled for January 27, 2025, at 9:00 a.m.

V. Adjournment

Hearing no other business to discuss, the meeting was adjourned by Chair Todd at 3:40 p.m.



KAZUO TODD
Chair