
HOUSE CONCURRENT RESOLUTION

REQUESTING THE OFFICE OF THE GOVERNOR, THE SENATE, AND THE HOUSE
OF REPRESENTATIVES TO STUDY ISSUES RELATING TO THE
CONTINUATION OF STATE GOVERNMENT DURING AN EMERGENCY.

1 WHEREAS, maintaining continuity of state government and
2 fulfilling government duties and responsibilities during
3 emergency situations is of growing concern to many states; and
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5 WHEREAS, many state legislatures and executive offices have
6 reviewed their laws and enacted legislation or established
7 procedures to provide clear instruction for lines of succession
8 if members of the legislature or other elected officials are
9 unable to perform their duties, for the relocation of state or
10 local government, if necessary, and other issues relating to the
11 continuation of government and fulfilling of state government
12 duties and responsibilities during an emergency; and
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14 WHEREAS, although the various government agencies in the
15 State of Hawaii have previously addressed continuity of
16 government issues, a new review would be prudent to determine
17 whether statutory amendments or procedural changes are necessary
18 to improve or expedite the process relating to the continuity of
19 government in an emergency; and
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21 WHEREAS, a review of state law and government procedures
22 relating to continuity of government in an emergency, including
23 any constitutional issues, and the subsequent codification into
24 a single chapter of Hawaii Revised Statutes would assist present
25 and future government officials and employees in preparing for
26 an emergency situation and executing recovery measures in a
27 timely manner; now, therefore,
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29 BE IT RESOLVED by the House of Representatives of the
30 Twenty-fifth Legislature of the State of Hawaii, Regular Session
31 of 2009, the Senate concurring, that the Governor is requested



1 to conduct a review of constitutional and state law, practices
2 and procedures, and other relevant information relating to
3 fulfilling the duties, functions, and responsibilities of the
4 Offices of the Governor and Lieutenant Governor and executive
5 departments in an emergency and submit to the Legislature no
6 later than twenty days prior to the convening of the Regular
7 Session of 2010 a report of findings and recommendations,
8 including any proposed legislation, on issues of the Office of
9 the Governor, the Office of the Lieutenant Governor, and state
10 executive departments and agencies that relate to the continuity
11 of constitutional government in an emergency.

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13 The Governor is requested to include in the report findings
14 and recommendations relating to:

- 15
16 (1) Possible sites identified for relocation of executive
17 and legislative operations;
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19 (2) Criteria and procedures used to determine suitability
20 for relocating the seat of state government;
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22 (3) Liability issues if appropriate action is not taken to
23 ensure continued performance of essential functions of
24 state government, including the safety of state
25 employees, visitors, and the public;
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27 (4) An assessment of existing operational capabilities,
28 based upon functions, staffing, and system
29 capabilities;
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31 (5) An assessment of available staffing and lines of
32 authority;
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34 (6) Communication within the Offices of the Governor and
35 the Lieutenant Governor, and with executive
36 departments and agencies, the Judiciary, the
37 Legislature, the county governments, and the media;
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39 (7) Communication security, including integrity and
40 mobility;
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42 (8) Capability and readiness of state executive
43 departments and agencies to "grab and go" with records



1 and data necessary to continue or resume their
2 functions; and

3
4 (9) Proposed legislation, if necessary; and

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6 BE IT FURTHER RESOLVED that the Legislature requests the
7 Senate to conduct a review of constitutional and state law,
8 practices and procedures, and other relevant information
9 relating to fulfilling the duties, functions, and
10 responsibilities of the Senate in an emergency and submit to the
11 Legislature no later than twenty days prior to the convening of
12 the Regular Session of 2010 a report of findings and
13 recommendations, including any proposed legislation on issues of
14 the Senate that relate to the continuity of Senate operations in
15 an emergency.

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17 The Senate is requested to include in its report, findings
18 and recommendations relating to:

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20 (1) Provisions for facilities in immediate and regional
21 range for essential operations of the Senate,
22 including legislative sessions and committee meetings
23 and hearings;
- 24
25 (2) Fulfilling of any quorum requirements in the event of
26 mass casualties or inability or difficulty of members
27 to travel within the State;
- 28
29 (3) Filling vacancies in Senate membership caused by an
30 emergency;
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32 (4) An assessment of existing operational capabilities,
33 based upon functions, staffing, and system
34 capabilities; including establishment of procedures to
35 fulfill any constitutional duties of the Senate, the
36 Clerk and Sergeant of Arms of the Senate, or other
37 Senate offices during an emergency;
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39 (5) An assessment of available staffing and lines of
40 authority;
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42 (6) Communication within the members and staff of the
43 Senate, including the leadership of the respective
44 caucuses, and with members and staff of the House of



Representatives, the Offices of the Governor and the Lieutenant Governor, executive departments and agencies, the Judiciary, the county governments, and the media;

(7) Communication security, including integrity and mobility;

(8) Capability and readiness of Senate and staff offices to "grab and go" with records and data necessary to continue or resume their functions; and

(9) Proposed legislation, if necessary; and

BE IT FURTHER RESOLVED that the Legislature requests the House of Representatives to conduct a review of constitutional and state law, practices and procedures, and other relevant information relating to fulfilling the duties, functions, and responsibilities of the House of Representatives in an emergency and submit to the Legislature no later than twenty days prior to the convening of the Regular Session of 2010 a report of findings and recommendations, including any proposed legislation, on issues of the House of Representatives that relate to the continuity of operations of the House of Representatives in an emergency.

The House of Representatives is requested to include in its report, findings and recommendations relating to:

(1) Provisions for facilities in immediate and regional range for essential operations of the House of Representatives, including legislative sessions and committee meetings and hearings;

(2) Fulfilling of any quorum requirements in the event of mass casualties or inability or difficulty of members to travel within the State;

(3) Filling vacancies in the House of Representatives membership caused by an emergency;

(4) An assessment of existing operational capabilities, based upon functions, staffing, and system capabilities; including establishment of procedures to



1 fulfill any constitutional duties of the House of
2 Representatives, the Clerk and Sergeant of Arms of the
3 House of Representatives, or other House offices
4 during an emergency;

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6 (5) An assessment of available staffing and lines of
7 authority;

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9 (6) Communication within the members and staff of the
10 House of Representatives, including the leadership of
11 the respective caucuses, and with members and staff of
12 the Senate, the Offices of the Governor and the
13 Lieutenant Governor, executive departments and
14 agencies, the Judiciary, the county governments, and
15 the media;

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17 (7) Communication security, including integrity and
18 mobility;

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20 (8) Capability and readiness of House of Representatives
21 and staff offices to "grab and go" with records and
22 data necessary to continue or resume their functions;
23 and

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25 (9) Proposed legislation, if necessary; and

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27 BE IT FURTHER RESOLVED that the Legislature requests the
28 judiciary, mayor, and the chairperson and members of the county
29 councils of each county to cooperate upon the request of the
30 Office of the Governor, the Senate, and the House of
31 Representatives on any issues relating to the continuity of
32 constitutional government during an emergency; and

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34 BE IT FURTHER RESOLVED that certified copies of this
35 Concurrent Resolution be transmitted to the Governor, the
36 Lieutenant Governor, the President of the Senate, the Speaker of
37 the House of Representatives, the head of each state executive
38 department, the Chief Justice of the Supreme Court of Hawaii and
39 the Administrative Director of the Courts, and the mayor and
40 chairperson of the council of each county.

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43 OFFERED BY:

Cindy Evans



Ray G. Handman

JAN 30 2009

