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## HOUSE 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  
4

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  
13

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  
20

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,  
28

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, that the Governor is requested to conduct a review of  
32 constitutional and state law, practices and procedures, and  
33 other relevant information relating to fulfilling the duties,  
34 functions, and responsibilities of the Offices of the Governor



1 and Lieutenant Governor and executive departments in an  
2 emergency and submit to the Legislature no later than twenty  
3 days prior to the convening of the Regular Session of 2010 a  
4 report of findings and recommendations, including any proposed  
5 legislation, on issues of the Office of the Governor, the Office  
6 of the Lieutenant Governor, and state executive departments and  
7 agencies that relate to the continuity of constitutional  
8 government in an emergency.

9  
10 The Governor is requested to include in the report findings  
11 and recommendations relating to:

- 12  
13 (1) Possible sites identified for relocation of executive  
14 and legislative operations;
- 15  
16 (2) Criteria and procedures used to determine suitability  
17 for relocating the seat of state government;
- 18  
19 (3) Liability issues if appropriate action is not taken to  
20 ensure continued performance of essential functions of  
21 state government, including the safety of state  
22 employees, visitors, and the public;
- 23  
24 (4) An assessment of existing operational capabilities,  
25 based upon functions, staffing, and system  
26 capabilities;
- 27  
28 (5) An assessment of available staffing and lines of  
29 authority;
- 30  
31 (6) Communication within the Offices of the Governor and  
32 the Lieutenant Governor, and with executive  
33 departments and agencies, the Judiciary, the  
34 Legislature, the county governments, and the media;
- 35  
36 (7) Communication security, including integrity and  
37 mobility;
- 38  
39 (8) Capability and readiness of state executive  
40 departments and agencies to "grab and go" with records  
41 and data necessary to continue or resume their  
42 functions; and
- 43  
44 (9) Proposed legislation, if necessary; and



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

12  
13 The Senate is requested to include in its report, findings  
14 and recommendations relating to:

- 15  
16 (1) Provisions for facilities in immediate and regional  
17 range for essential operations of the Senate,  
18 including legislative sessions and committee meetings  
19 and hearings;  
20  
21 (2) Fulfilling of any quorum requirements in the event of  
22 mass casualties or inability or difficulty of members  
23 to travel within the State;  
24  
25 (3) Filling vacancies in Senate membership caused by an  
26 emergency;  
27  
28 (4) An assessment of existing operational capabilities,  
29 based upon functions, staffing, and system  
30 capabilities; including establishment of procedures to  
31 fulfill any constitutional duties of the Senate, the  
32 Clerk and Sergeant of Arms of the Senate, or other  
33 Senate offices during an emergency;  
34  
35 (5) An assessment of available staffing and lines of  
36 authority;  
37  
38 (6) Communication within the members and staff of the  
39 Senate, including the leadership of the respective  
40 caucuses, and with members and staff of the House of  
41 Representatives, the Offices of the Governor and the  
42 Lieutenant Governor, executive departments and  
43 agencies, the Judiciary, the county governments, and  
44 the media;



- 1  
2 (7) Communication security, including integrity and  
3 mobility;  
4  
5 (8) Capability and readiness of Senate and staff offices  
6 to "grab and go" with records and data necessary to  
7 continue or resume their functions; and  
8  
9 (9) Proposed legislation, if necessary; and

10  
11 BE IT FURTHER RESOLVED that the Legislature requests the  
12 House of Representatives to conduct a review of constitutional  
13 and state law, practices and procedures, and other relevant  
14 information relating to fulfilling the duties, functions, and  
15 responsibilities of the House of Representatives in an emergency  
16 and submit to the Legislature no later than twenty days prior to  
17 the convening of the Regular Session of 2010 a report of  
18 findings and recommendations, including any proposed  
19 legislation, on issues of the House of Representatives that  
20 relate to the continuity of operations of the House of  
21 Representatives in an emergency.  
22

23 The House of Representatives is requested to include in its  
24 report, findings and recommendations relating to:  
25

- 26 (1) Provisions for facilities in immediate and regional  
27 range for essential operations of the House of  
28 Representatives, including legislative sessions and  
29 committee meetings and hearings;  
30  
31 (2) Fulfilling of any quorum requirements in the event of  
32 mass casualties or inability or difficulty of members  
33 to travel within the State;  
34  
35 (3) Filling vacancies in the House of Representatives  
36 membership caused by an emergency;  
37  
38 (4) An assessment of existing operational capabilities,  
39 based upon functions, staffing, and system  
40 capabilities; including establishment of procedures to  
41 fulfill any constitutional duties of the House of  
42 Representatives, the Clerk and Sergeant of Arms of the  
43 House of Representatives, or other House offices  
44 during an emergency;



- 1
- 2 (5) An assessment of available staffing and lines of
- 3 authority;
- 4
- 5 (6) Communication within the members and staff of the
- 6 House of Representatives, including the leadership of
- 7 the respective caucuses, and with members and staff of
- 8 the Senate, the Offices of the Governor and the
- 9 Lieutenant Governor, executive departments and
- 10 agencies, the Judiciary, the county governments, and
- 11 the media;
- 12
- 13 (7) Communication security, including integrity and
- 14 mobility;
- 15
- 16 (8) Capability and readiness of House of Representatives
- 17 and staff offices to "grab and go" with records and
- 18 data necessary to continue or resume their functions;
- 19 and
- 20
- 21 (9) Proposed legislation, if necessary; and
- 22

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

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

OFFERED BY:

*Cindy Evans*  
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*Rep. J. Hanabusa*  
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*[Signature]*

