

SB 2146

RELATING TO EMERGENCY MANAGEMENT

Description:

Creates a task force to determine whether chapters 127 and 128, Hawaii Revised Statutes, should be amended, repealed, or supplemented to ensure that preparations of this State are adequate in reducing vulnerability to, and recovering from, emergencies and disasters. Report to the legislature.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

JODIE F. MAESAKA-HIRATA
DIRECTOR

Martha Torney
Deputy Director
Administration

Joe W. Booker, Jr.
Deputy Director
Corrections

Keith Kamita
Deputy Director
Law Enforcement

TESTIMONY ON SENATE BILL 2146
RELATING TO EMERGENCY MANAGEMENT

by

Jodie F. Maesaka-Hirata, Director
Department of Public Safety

Senate Committee on Public Safety, Government Operations, and Military Affairs
Senator Will Espero, Chair
Senator Michelle N. Kidani, Vice Chair

Tuesday, February 14, 2012 at 3:15 pm
State Capitol, Room 224

Chair Espero, Vice Chair Kidani, and Members of the Committee:

The Department of Public Safety (PSD) opposes Senate Bill (SB) 2146 that recommends a task force be created to determine whether chapters 127 and 128, Hawaii Revised Statutes, should be amended, repealed, or supplemented to ensure that preparations of the State are adequate in reducing the vulnerability to, and recovering from, emergencies and disasters.

The State Department of Defense (DOD) is currently mandated to manage the State of Hawaii's Civil Defense response through a National Response Framework, a Hawaii Catastrophic Hurricane Plan, and a Hawaii Emergency Support Function Annex. PSD's Civil Defense Coordinator regularly interacts with DOD State Civil Defense in coordinating various drills and priority events to ensure the preparedness of the State of Hawaii.

PSD opposes SB 2146 as DOD State Civil Defense has already developed response plans in conjunction with Federal Agencies to ensure the preparedness of the State of Hawaii in catastrophic or emergency situations.

Thank you for the opportunity to present this testimony.



The Judiciary, State of Hawaii

Testimony to the Senate Committee on Public Safety,
Government Operations, and Military Affairs
Senator Will Espero, Chair
Senator Michelle N. Kidani, Vice Chair

Tuesday, February 14, 2012, 3:15 p.m.
State Capitol, Conference Room 224

By

Iris Murayama
Deputy Administrative Director of the Courts

Bill No. and Title: Senate Bill No. 2146, Relating to Emergency Management.

Purpose: Creates a task force to determine whether chapters 127 and 128, Hawaii Revised Statutes (HRS), should be amended, repealed, or supplemented to ensure that preparations of this State are adequate in reducing vulnerability to, and recovering from, emergencies and disasters.

Judiciary's Position:

The Judiciary does not take a position on the merits of this measure but offers the following comments:

Section 1 of the bill indicates that the "State is vulnerable to a wide range of natural and man-made hazards...". We believe that the Judiciary plays an integral part in the management of such hazards. For example, during a pandemic, the Court must keep its doors open to protect the rights of those infected or exposed, as well as protect the health and safety of the general public. Further, the courts have the authority to hear challenges to emergency proclamations and orders, HRS § 128-29, and to adjudicate cases in which persons have been charged with violating emergency rules or regulations, HRS § 128-32.

In addition, Chapters 127 and 128, HRS, were written during an era in which the Judicial Branch was not as well differentiated from the Executive as it is currently. We believe that the Judiciary, as an independent branch of government, should have the opportunity to provide significant input on whether changes should be made to, for example, HRS § 128-10. Pursuant



Senate Bill No. 2146, Relating to Emergency Management
Senate Committee on Public Safety, Government Operations,
and Military Affairs

Tuesday, February 14, 2012

Page 2

to HRS § 128-10(5), Judiciary officers and employees may be ordered by the governor to assist in emergency functions and HRS § 128-10(6) authorizes the governor to reallocate Judiciary property for emergency use. To the extent possible, we prefer a more collaborative process between the Governor and Chief Justice.

In summary, the concerns and priorities of the Judicial Branch, which are constitutionally distinct and unique from the other branches of government, warrant a place at discussions regarding public safety in times of emergency or disaster. Accordingly, it is critical to have a representative from the Judiciary be a member of this task force.

Towards this end, we suggest an amendment to include “the Chief Justice or the Chief Justice’s designee” as a full member of this task force. Thank you for the opportunity to testify on Senate Bill No. 2146.

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
JADE T. BUTAY
FORD N. FUCHIGAMI
RANDY GRUNE
JADINE URASAKI

IN REPLY REFER TO:

February 13, 2012

**SB 2146
RELATING TO EMERGENCY MANAGEMENT**

**SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS &
MILITARY AFFAIRS**

While the Department of Transportation (DOT) appreciates the intent of SB 2146, we oppose this bill. It is critical that all levels of government work together to ensure the efficient, effective, and sustained operations of our emergency management efforts and the resources made available are put to the best use possible.

In view of the fact the DOT plays a major role in the disaster preparedness of the state, we regularly participate in training, drills and exercises to improve emergency operations plans and preparedness. We are aware that the new Vice Director of Civil Defense will bring subject matter experts to examine how to improve our emergency management system when he starts. This management review will include all voices and inputs from the civil defense and emergency management community. Another large task force comprising of at least 25 members created by this measure would be unwieldy and could be counterproductive to the efforts of the new Vice Director of Civil Defense. As such, we oppose SB 2146.

Thank you for the opportunity to provide testimony.



STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON SENATE BILL 2146
A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT

PRESENTATION TO THE
SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS,
AND MILITARY AFFAIRS

BY

MAJOR GENERAL DARRYLL D. W. WONG
ADJUTANT GENERAL
February 14, 2012

Chair Espero, Vice Chair Kidani, and Committee Members:

I am Major General Darryll D. W. Wong, State Adjutant General. I am testifying on Senate Bill 2146.

We strongly oppose since we feel that this bill is unnecessary. Since being appointed to the position of State Adjutant General and Director of State Civil Defense, it has been my intent to conduct a review of the statutes regarding disaster preparedness and civil defense. We realize that the current statutes were enacted in 1949 and 1950 in preparation for possible attacks during the cold war era and that Hawaii's population was much smaller.

Once the newly appointed Vice-Director and Executive Officer join the organization, they will be directed to conduct a thorough review of Chapters 127 and 128, HRS. They will coordinate with County civil defense/ emergency management agencies, and first responders in review of these chapters. Their charter will be to incorporate policies and procedures used by the Department of Homeland Security and the Federal Emergency Management Agency to make recommendations on changes to organizational structures and updates to the statutes governing disaster preparedness and homeland security. Also, if necessary, draft and submit proposed legislation to implement these changes and recommendations.

With the reasons stated above, we humbly request that Senate Bill 2146 be held. Thank you for the opportunity to provide this testimony. Are there any questions?

TESTIMONY BY KALBERT K. YOUNG
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT
OPERATIONS, AND MILITARY AFFAIRS
ON
SENATE BILL NO. 2146

February 14, 2012

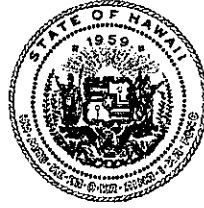
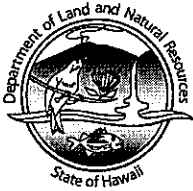
RELATING TO EMERGENCY MANAGEMENT

Senate Bill No. 2146 proposes to create a task force with the purpose of ultimately determining whether Chapters 127 and 128 of Hawaii Revised Statutes should be amended or repealed. Those chapters relate to the disaster preparedness and the authority of the civil defense agencies.

The Department of Budget and Finance recognizes that Chapters 127 and 128 were established a while ago and could benefit from a contemporary analysis of areas of enhancement. However, I would caution that the task force membership does seem overly large and coordinating participation by that many stakeholders could detract from the other operational areas of government. Given the complexity of coordinating any civil defense event, it is expected that the stakeholder involvement would be significant, but requiring 5 meetings within 6 months is an aggressive calendar. If the Legislature should pass this measure, the Department would advise that thought be given as to how to maximize efficient participation without unduly impacting government operations.

The Department of Budget and Finance defers to the operational opinion of the State Department of Civil Defense as to a task force's likely extensiveness for statutory revision to Chapters 127 and 128.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committee on
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS**

**Tuesday, February 14, 2012
3:15 P.M.
State Capitol, Conference Room 224**

**In consideration of
SENATE BILL 2146
RELATING TO EMERGENCY MANAGEMENT**

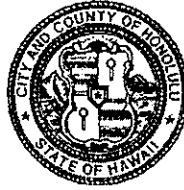
Senate Bill 2146 proposes to create an Emergency Management Task Force to determine whether Chapters 127 and 128, Hawaii Revised Statutes (HRS), should be amended, repealed or supplemented to ensure that preparations of the State are adequate in reducing vulnerability to, and recovering from, emergencies and disasters, and requires a report of findings and recommendations to the 2013 Legislature. While the Department of Land and Natural Resources (Department) acknowledges the intent of this measure to enhance emergency preparedness and response, the Department would defer to the Department of Defense regarding the most efficient mechanism and manner for reviewing and updating of Chapters 127 and 128, HRS.

Thank you for the opportunity to comment.

DEPARTMENT OF EMERGENCY MANAGEMENT
CITY AND COUNTY OF HONOLULU

650 South King Street Honolulu, Hawaii 96813 / (808) 723-8960

Peter B. Carlisle
MAYOR



Meivin N. Kaku
DIRECTOR

February 13, 2012

The Honorable Will Espero, Chair and Members
of the Committee on Public Safety,
Government Operations and Military Affairs
Senate
State Capitol, Room 224
Honolulu, Hawaii 96813

Dear Chair Espero:

Subject: S.B. 2146 Relating to Emergency Management

The Department of Emergency Management, City and County of Honolulu, strongly opposes S.B. 2146.

When members of our community are faced with a natural or man-made hazard incident, they expect our emergency response personnel to uphold a certain standard of professionalism and performance. Federal standards and performance guidelines are currently in place and continuously are updated to maintain relevance to national and international policy.

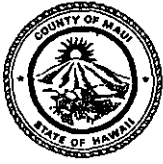
Emergency management personnel are expected to initially complete and continuously maintain currency in specialized training, certification, and credentialing. The public trust cannot be compromised and the community expects and deserves personnel whose management skills result in providing quality emergency response services. For these reasons, Chapters 127 and 128 may not need to be urgently updated. An alternative, should the Legislature decide that an update to Chapters 127 and 128 be required, would be to establish a panel consisting of Emergency Management and First responder representatives from each of the four (4) Counties appointed by the Mayors to provide recommendations to the Committee on Public Safety, Government Operations, and Military Affairs in 2013.

I urge your committee to defer or cancel S.B. 2146 and not expend additional limited resources and administrative planning time.

Sincerely,


Melvin N. Kaku
Director

cc: Mayor's Office
Douglas S. Chin, Managing Director



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE
YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411



GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

February 13, 2012

The Honorable Will Espero, Chair
And Members of the Committee on Public Safety,
Government Operations, and Military Affairs
The Senate
State Capitol
Honolulu, HI 96813

Re: Opposition to SB No. 2146, RELATING TO EMERGENCY MANAGEMENT

Dear Chair Espero and Members of the Committee:

This proposed bill creating a task force to determine whether Chapters 127 and 128 of the Hawaii Revised Statutes, should be amended, repealed, or supplemented to ensure that preparations for this State are adequate in reducing vulnerability to, and recovering from, emergencies and disasters, is well intentioned, but is unnecessary. As there is currently a framework and a positive direction that is being taken for these very issues that this bill proposes to address, the Maui Police Department is opposed to this bill and would like it deferred.

Historically, the Maui Police Department has been a cooperative partner with the State of Hawaii's Civil Defense program, and our bond has further been strengthened under the sound leadership of Adjutant General Darryll Wong.

Based on the progress and direction that has been established under the Adjutant General Wong, the Maui Police Department and Maui County Mayor Alan M. Arakawa feel that the culmination of the stakeholders and designated chairpersons created under SB No. 2146, may reduce the clarity of attempting to comprehensively review HRS Chapters 127 and 128.

Maui County Mayor Alan M. Arakawa affirms the leadership of Adjutant General Wong and his vision of incorporating necessary changes to the State's Emergency Management System under his direction.

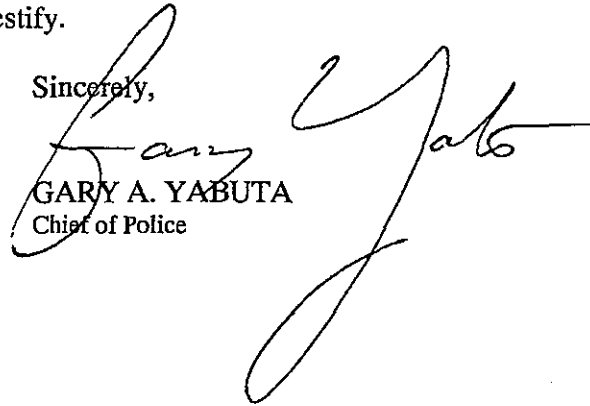
The Honorable Will Espero, Chair
Committee on Public Safety, Government
Operations, and Military Affairs
February 13, 2012
Page 2

We therefore, believe in the trust of Adjutant General Wong and his ability to lead the current stakeholders of the State's Civil Defense system to evaluate and improve our laws to better sustain law enforcement's responsibility in civil disasters and protect the people of the State of Hawaii.

The Maui Police Department and Mayor Arakawa humbly ask for your opposition for SB No. 2146.

Thank you for the opportunity to testify.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Gary Yabuta". The signature is written over the typed name and title.

GARY A. YABUTA
Chief of Police

c: Mayor Alan M. Arakawa



SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS
Senator Will Espero, Chair

Conference Room 224
February 14, 2012 at 3:15 p.m.

Supporting SB 2146 with an amendment

The Healthcare Association of Hawaii advocates for its member organizations that span the entire spectrum of health care, including all acute care hospitals, as well as long term care facilities, home care agencies, and hospices. In addition to providing quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 40,000 people. Thank you for this opportunity to testify in support of SB 2146, which creates a task force to review Chapters 127 and 128, Hawaii Revised Statutes, and to recommend amendments.

Both Chapters are related, as Chapter 127 creates an organizational structure for disaster relief, and Chapter 128 creates a structure for civil defense and emergency response. Both Chapters were initially enacted more than 60 years ago. Since then, however, conditions have significantly changed. For example, communist imperialism is referenced in Chapter 128, even though the Cold War is no longer a factor. In addition, the Federal Emergency Management Agency was created since both Chapters were initially enacted. Parts of both chapters have been amended many times to address different issues. As a result, the Chapters are now somewhat disjointed. Chapters 127 and 128 should now be reviewed with the objective of re-structuring them to create an integrated whole that reflects current realities.

The bill creates a task force composed completely of representatives of government agencies. Since health care providers are instrumental in responding to any widespread disaster or emergency, a representative of the health care industry should be added to the task force.

With this amendment, the Healthcare Association of Hawaii supports SB 2146.

**SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS,
AND MILITARY AFFAIRS**

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012**

Testimony on Senate Bill 2146

A Bill Relating to Emergency Management

February 14, 2011

**CHAIR ESPERO, VICE CHAIR KIDANI, AND MEMBERS OF THE
COMMITTEE:**

My name is Robert G.F. Lee, the former Director of Civil Defense, State of Hawaii Department of Defense, a position I held from January 1, 2003 to January 8, 2011.

I support Senate Bill 2146.

The civil defense laws and system of our State are based on an outdated Federal Civil Defense system that was designed to prepare and protect the nation and citizens from nuclear attack. The civil defense laws and system of Hawaii should be updated based on contemporary federal laws, policies, and programs for emergency management and homeland security.

Your support of this bill may lead to the establishment of a multi-agency task force empowered to perform an objective comprehensive review of Hawaii Revised Statutes Chapters 127 and 128, and provide recommendations for changes of these Statutes to the 2013 Legislature.

Thank you for the opportunity to provide testimony in support of this bill.

Robert G.F. Lee
Major General, US Army (Ret)

**SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS,
AND MILITARY AFFAIRS**

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012**

Testimony on Senate Bill 2146

A Bill Relating to Emergency Management

February 14, 2011

**CHAIR ESPERO, VICE CHAIR KIDANI, AND MEMBERS OF THE
COMMITTEE:**

My name is Ed Teixeira, the former vice director of civil defense, State of Hawaii Department of Defense, a position I held from October 1, 1999 to October 4, 2011.

I support Senate Bill 2146.

The civil defense laws and system of our State are based on an outdated Federal Civil Defense system that was designed to prepare and protect the nation and citizens from nuclear attack. The civil defense laws and system of Hawaii should be based on contemporary federal laws, policies, and programs for emergency management and homeland security.

Your support of this bill may lead to the establishment of a multi-agency task force empowered to perform an objective review of Hawaii Revised Statutes Chapters 127 and 128, and provide recommendations for changes of these provisions to the 2013 Legislature.

Thank you for the opportunity to provide testimony in support of this bill.

Edward T. Teixeira
P. O. Box 30484
Honolulu, HI 96820

Testimony
Of
Gary M. Ishikawa
Brigadier General; United State Army (Retired)
Before the Public Safety, Government Operations, and Military Affairs Committee
State of Hawaii
Relating to Senate Bill 2146

Chair Espero, Vic Chair Kidani and members of the; Public Safety, Government Operations, and Military Affairs, I am Gary M. Ishikawa the former Deputy Adjutant General of the State Department of Defense. It is important to note that I served in that position from January 1, 2003 to December 31, 2010.

I am in **STRONG SUPPORT OF SENATE BILL 2146** which establishes a task force for the purpose of reviewing section 26-21, pertaining to the department of defense, chapter 127 pertaining to disaster relief, and chapter 128, pertaining to civil defense and emergency, Hawaii Revised Statutes.

The Federal Department of Homeland Security was officially established through the Homeland Security Act of 2002 on November 25, 2002 in response to the Attacks on September 11, 2001.

Initially the decision was made to utilize the existing organization structure and expand the mission of the State Civil Defense to include Home Security.

Today the world is a very different place. The war in Iraq has ended and the conflict in Afghanistan is phasing down. Osama Bin Laden has been brought to justice along with many of his lieutenants.

While the threat from terrorist attacks is still present their capabilities have been greatly diminished.

Economic realities have forced the re-examination of national priorities. It is time to revisit section 26-21, pertaining to the department of defense, chapter 127 pertaining to disaster relief, and chapter 128, pertaining to civil defense and emergency, Hawaii Revised Statutes.

You will note that my tour from January 2003 until December 2010 covered all the major events listed above. As such, I had a front row seat into that turbulent period in our history.

This examination should focus on the future and what type of agency will we need to continue to protect Hawaii from both natural as well as human caused disasters.

In closing; **I am in strong support** of Senate Bill 2146.

**Testimony on Senate Bill 2146
A Bill Relating to Emergency Management**

**SENATE COMMITTEE
ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS**

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012**

February 9, 2012

HONORABLE WILL ESPERO, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Clayton Ching, and I am providing written testimony in support of Senate Bill 2146.

The proposed bill establishes a multi-agency task force to determine whether Hawaii Revised Statutes Chapters 127 and 128 should be amended, repealed, or added to in order to ensure the emergency preparedness of this State are adequate in reducing our vulnerability to natural and man-made hazards, and to respond and recover effectively to emergencies and disasters. Chapters 127 and 128 provide the authorities, responsibilities, and framework for the civil defense system in the State of Hawaii and are based on the Federal Civil Defense Act of 1950.

In view of the natural and man-made hazards that can affect Hawaii and our communities, our civil defense laws and system should conform to contemporary federal laws for emergency management, policies for Homeland Security, and the best-practices from other states. A serious review of Chapters 127 and 128 by a task force will provide recommendations for a modern and improved civil defense system for the State of Hawaii.

Emergency response agencies statewide and the communities they serve will benefit from the task force findings and recommendations.

I urge you and your committee to show your continued support for our dedicated civil defense and public safety officials at the State and county government levels by passing Senate Bill 2146.

Thank you for the opportunity to provide written testimony in support of this bill.

Clayton Ching
94-222 Naika Place
Mililani, HI 96789

**Testimony on Senate Bill 2146
A Bill Relating to Emergency Management**

**SENATE COMMITTEE
ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY
AFFAIRS**

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012**

February 14, 2012

HONORABLE WILL ESPERO, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Larry M. Kanda, and I am providing written testimony in support of Senate Bill 2146. I was employed at State Civil Defense as a mitigation planner from 1992 to 2010 and quite familiar with the statutes cited in paragraph 2.

The proposed bill establishes a multi-agency task force to determine whether Hawaii Revised Statutes Chapters 127 and 128 should be amended, repealed, or added to in order to ensure the emergency preparedness of this State are adequate in reducing our vulnerability to natural and man-made hazards, and to respond and recover effectively to emergencies and disasters. Chapters 127 and 128 provide the authorities, responsibilities, and framework for the civil defense system in the State of Hawaii and are based on the Federal Civil Defense Act of 1950.

In view of the natural and man-made hazards that can affect Hawaii and our communities, our civil defense laws and system should be based on contemporary federal laws for emergency management, policies for Homeland Security, and the best-practices from other states. A serious review of Chapters 127 and 128 by a task force will provide recommendations for a modern and improved civil defense system for the State of Hawaii.

Emergency response agencies statewide and the communities they serve will benefit from the task force findings and recommendations.

I urge you and your committee to show your continued support for our dedicated civil defense and public safety officials at the State and county government levels by passing Senate Bill 2146.

Thank you for the opportunity to provide written testimony in support of this bill.

Larry M. Kanda
98-1702C Kaahumanu St., Pearl City, HI 96782

**Testimony on Senate Bill 2146
A Bill Relating to Emergency Management**

**SENATE COMMITTEE
ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY
AFFAIRS**

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012**

February 7, 2012

HONORABLE WILL ESPERO, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Helen Hong-Boswell, and I am providing written testimony in support of Senate Bill 2146.

The proposed bill establishes a multi-agency task force to determine whether Hawaii Revised Statutes Chapters 127 and 128 should be amended, repealed, or added to in order to ensure the emergency preparedness of this State are adequate in reducing our vulnerability to natural and man-made hazards, and to respond and recover effectively to emergencies and disasters. Chapters 127 and 128 provide the authorities, responsibilities, and framework for the civil defense system in the State of Hawaii and are based on the Federal Civil Defense Act of 1950.

In view of the natural and man-made hazards that can affect Hawaii and our communities, our civil defense laws and system should be based on contemporary federal laws for emergency management, policies for Homeland Security, and the best-practices from other states. A serious review of Chapters 127 and 128 by a task force will provide recommendations for a modern and improved civil defense system for the State of Hawaii.

Emergency response agencies statewide and the communities they serve will benefit from the task force findings and recommendations.

I urge you and your committee to show your continued support for our dedicated civil defense and public safety officials at the State and county government levels by passing Senate Bill 2146.

Thank you for the opportunity to provide written testimony in support of this bill.

Edward Boswell
69-1033 Nawahine Place, #13C, Waikoloa, HI 96738

**Testimony on Senate Bill 2146
A Bill Relating to Emergency Management**

**SENATE COMMITTEE
ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY
AFFAIRS**

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012**

February 9, 2012

HONORABLE WILL ESPERO, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Julie Greenly and I am providing written testimony in support of Senate Bill 2146.

The proposed bill establishes a multi-agency task force to determine whether Hawaii Revised Statutes Chapters 127 and 128 should be amended, repealed, or added to in order to ensure the emergency preparedness of this State are adequate in reducing our vulnerability to natural and man-made hazards, and to respond and recover effectively to emergencies and disasters. Chapters 127 and 128 provide the authorities, responsibilities, and framework for the civil defense system in the State of Hawaii and are based on the Federal Civil Defense Act of 1950.

In view of the natural and man-made hazards that can affect Hawaii and our communities, our civil defense laws and system should be based on contemporary federal laws for emergency management, policies for Homeland Security, and the best-practices from other states. A serious review of Chapters 127 and 128 by a task force will provide recommendations for a modern and improved civil defense system for the State of Hawaii.

Emergency response agencies statewide and the communities they serve will benefit from the task force findings and recommendations.

I urge you and your committee to show your continued support for our dedicated civil defense and public safety officials at the State and county government levels by passing Senate Bill 2146.

Thank you for the opportunity to provide written testimony in support of this bill.

Julie Greenly
4302 Halupa St., Honolulu, HI 96818

**Testimony on Senate Bill 2146
A Bill Relating to Emergency Management**

**SENATE COMMITTEE
ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY
AFFAIRS**

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012**

February 10, 2012

HONORABLE WILL ESPERO, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Bobby Hitt, and I am providing written testimony in support of Senate Bill 2146.

The proposed bill establishes a multi-agency task force to determine whether Hawaii Revised Statutes Chapters 127 and 128 should be amended, repealed, or added to in order to ensure the emergency preparedness of this State are adequate in reducing our vulnerability to natural and man-made hazards, and to respond and recover effectively to emergencies and disasters. Chapters 127 and 128 provide the authorities, responsibilities, and framework for the civil defense system in the State of Hawaii and are based on the Federal Civil Defense Act of 1950.

In view of the natural and man-made hazards that can affect Hawaii and our communities, our civil defense laws and system should be based on contemporary federal laws for emergency management, policies for Homeland Security, and the best-practices from other states. A serious review of Chapters 127 and 128 by a task force will provide recommendations for a modern and improved civil defense system for the State of Hawaii.

Emergency response agencies statewide and the communities they serve will benefit from the task force findings and recommendations.

I urge you and your committee to show your continued support for our dedicated civil defense and public safety officials at the State and county government levels by passing Senate Bill 2146.

Thank you for the opportunity to provide written testimony in support of this bill.

Bobby Hitt
PO Box 384071
Waikoloa, Hi 96738

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 08, 2012 2:55 PM
To: PGM Testimony
Cc: cmagena@aol.com
Subject: Testimony for SB2146 on 2/14/2012 3:15:00 PM

Testimony for PGM 2/14/2012 3:15:00 PM SB2146

Conference room: 224
Testifier position: Support
Testifier will be present: No
Submitted by: Clarence M. Agena
Organization: Individual
E-mail: cmagena@aol.com
Submitted on: 2/8/2012

Comments:

As a Brigadier General, US Army Retired; and former Dep. Dir. for the State DOD under Gov. Cayetano's administration, I support SB2146. I strongly request the Senate's PGM committee pass this bill. Mahalo,

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 08, 2012 11:45 AM
To: PGM Testimony
Cc: robbinr@hawaii.rr.com
Subject: Testimony for SB2146 on 2/14/2012 3:15:00 PM

Testimony for PGM 2/14/2012 3:15:00 PM SB2146

Conference room: 224
Testifier position: Support
Testifier will be present: Yes
Submitted by: Robbin Reed
Organization: Individual
E-mail: robbinr@hawaii.rr.com
Submitted on: 2/8/2012

Comments:

Currently Civil Defense falls under the A.G. of the National Guard which is the tail wagging the dog. Civil Defense should be a separate entity with the powers to activate the National Guard when emergency response dictates their help/usefulness. Right now it is the TAG's little appointment sanctuary where he can place people he favors instead of their primary purpose or reason for being in the Dept. being the safety & security of the people of this state, during emergencies/disasters.

**Testimony on Senate Bill 2146
A Bill Relating to Emergency Management**

**SENATE COMMITTEE
ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY
AFFAIRS**

**TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012**

February 10, 2012

HONORABLE WILL ESPERO, CHAIR, AND MEMBERS OF THE COMMITTEE:

I, Doreen A. Riggin, submit the following testimony in support of Senate Bill 2146:

This measure would establish a multi-agency task force to determine whether Hawaii Revised Statutes Chapters 127 and 128 should be amended, repealed, or added to in order to ensure that the emergency preparedness of this State is adequate in reducing our vulnerability to natural and man-made hazards, and to respond to, and recover effectively from, emergencies and disasters.

Chapters 127 and 128 provide the authorities, responsibilities, and framework for the civil defense system in the State of Hawaii and are based on the Federal Civil Defense Act of 1950. In view of the natural and man-made hazards that can affect Hawaii and our communities, our civil defense laws and system should be based on contemporary federal laws for emergency management and policies for Homeland Security, as well as best-practices from other states. A serious review of Chapters 127 and 128 by a task force will provide recommendations for a modern and improved civil defense system for the State of Hawaii. Emergency response agencies statewide and the communities they serve will benefit from the task force findings and recommendations.

I urge the Committee to demonstrate its strong support for the safety of our citizens, and for the interests of public employees charged with protecting our communities by passing Senate Bill 2146.

Thank you for the opportunity to provide written testimony in support of this bill.

Doreen A. DeSouza Riggin
69-1033 Nawahine Place, #4H
Waikoloa HI 96738

Testimony SB 2146
Relating to Emergency Management

Committee on Public Safety, Government Operations and Military Affairs
February 14, 2012
3:15 pm
Room 224

Honorable Chair and Vice Chair: Senator Will Espero and Senator Michelle Kidani

Members of the Committee

My name is Barbara Centeio and I am testifying in favor of SB 2146

Hawaii needs to modernize and become better aligned with emergency response best practice and national standards and guidelines. Emergency Response leaders in America learned painful and lasting lessons from the 9/11 and Katrina disasters. These events led to major changes in how local, state and federal governments function and interact and affirmed that the overarching objective of response activities centers upon saving lives and protecting property and the environment. Our nation also learned about the importance leadership and coordination plays in assuring the public's safety and well being pre, during and after a threatening event.

Hawaii Civil Defense laws are outdated, passed more than sixty years ago when the world and government structures and expectations were different. Our state has learned valuable lessons from our local disasters and through these events has learned the importance of State Civil Defense and the value of strong, dedicated leadership.

Collectively, governments learned that: planning; knowledge and understanding of agency functions and roles; the engagement of non-government agencies and community-based organizations are critical. Engaged partnerships at all levels are essential to all aspects of emergency management—from preparedness to response to recovery.

It is long overdue that Hawaii considers the establishment of a dedicated department to assure the leadership and management of the numerous resources; private organizations and businesses; public utilities; and all levels of government necessary to respond to and recover from a disaster of any kind. Hawaii's legislature must understand that emergency management leadership is even more critical in a geographically isolated location like our islands. After any major event,

Hawaii may have to be self sufficient for a period of time before outside resources can be garnered. Strong leadership is crucial when managing finite resources until help is received. Archaic and outdated laws weaken the ability for government to provide the strong leadership needed for emergency response.

SB 2146 would be a first step to assuring that Hawaii's emergency response system is at its best. I believe that disaster management and emergency response would be strengthened if leadership were at Cabinet level or directly under the Governor so that the government functions and resources are utilized and mobilized efficiently and effectively. It is the Governor that makes the call to request the need of outside help and federal resources. It is the Governor that communicates with the local Mayors to assist and provide needed resources when county level resources are determined to be not enough. The Governor needs to be able to work directly with a cabinet level position dedicated and focused on emergency management. Currently, the Governor has to go thru the Adjutant General, who heads the state Department of Defense. The Adjutant General has numerous other responsibilities to include overseeing the National Guard. Under the current structure, the Adjutant General's responsibilities preclude and detract from the ability to develop the day-to-day operational expertise to provide the leadership necessary for disaster response and recovery. A task force would be able to take these ideas as well as best practices and lessons learned and determine what would be the best approach to achieve optimal response capabilities.

I believe that SB 2146, will assure the needed first step to modernization. An informed task force and review of the statutes and best practice should lead to identification of changes necessary to assure the safety of our island residents and visitors.

Hawaii needs and deserves laws and a government structure that supports the complex and critical requirements of emergency management and homeland security. I humbly ask your support and passage of SB 2146 to assure the changes needed for a safe Hawaii.

**SENATE COMMITTEE ON PUBLIC SAFETY,
GOVERNMENT OPERATIONS AND MILITARY AFFAIRS
TWENTY-SIXTH LEGISLATURE REGULAR SESSION OF 2012**

**Testimony on Senate Bill 2146
A Bill Relating to Emergency Management
February 14, 2012**

CHAIR ESPERO, VICE CHAIR KIDANI AND MEMBERS OF THE COMMITTEE:

My name is Ann Sakaguchi and I am a resident on the Island of Oahu and former Advisory member of the Hawaii State Civil Defense Advisory Council, a position I held from July 2002 to June 2010.

I am writing in support of **Senate Bill 2146**.

As an Advisory member, I saw firsthand the great achievements of the Agency as well as the formidable challenges faced by Hawaii State Civil Defense in the aftermath of 9/11. The last ten years was a period of significant changes in the field of emergency management. Post 9/11, national policies were developed rapidly to specifically address terrorism, anthrax, SARS, natural disasters and pandemic influenza before shifting to an all hazards approach in preparedness and response. At the federal level, new Departments of Homeland Security and the Office of the Assistant Secretary for Preparedness and Response at the U.S. Department of Health and Human Services were developed. Laws to address the requirements of those with access and functional needs, such as women, children, elderly, minorities with language barriers, those with physical and mental disabilities, homeless, poor and so forth were created to better protect populations that needed special types of assistance. More importantly, emergency management, preparedness and response moved from a single discipline field to that of a multi-disciplinary approach which underscored the importance of extensive coordination among government and non-governmental entities to ensure a better prepared and resilient Nation.

The current civil defense laws and system of our beloved State of Hawaii is however based on the former Federal Civil Defense that was intended to prepare and protect the Nation and citizens from nuclear attack(s). It is clearly due time that we revisit the laws that created the Hawaii State Civil Defense 60 years ago so we can ensure better preparedness and response capabilities to all hazards via a broader-based multi-disciplinary approach.

A comprehensive review of HRS Chapters 127 and 128 by a multi agency task force is therefore recommended. This task force would examine the Hawaii State Civil Defense that still operates under the Department of Defense and recommend necessary changes to the 2013 Legislature. I believe that this is a critical step in establishing an even safer Hawaii for its residents through a more inclusive response.

Respectfully submitted,
Ann Sakaguchi, MPH, PhD

SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS,
AND MILITARY AFFAIRS

TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012

Testimony on Senate Bill 2146

A Bill Relating to Emergency Management

February 13, 2011

Chair Espero, Vice Chair Kidani, and members of the committee:

My name is Afaq Sarwar; I am a licensed structural engineer; and I am a resident of Hawaii Island.

I would like to express my strong support for the Senate Bill 2146. I would urge you to not only pass this bill, but also take this effort to its logical conclusion to bring the civil defense laws and system of our State to the 21st century.

I fully agree with your view that the State is vulnerable to a wide range of natural and man-made hazards that threaten the life, health, and safety of its people; damage and destroy property; disrupt services and everyday business and recreational activities; and impede economic development.

Equally, I agree with your assertion that the statutes pertaining to the civil defense system of the State were enacted at a very different time in the history of Hawaii. Chapter 127, Hawaii Revised Statutes, was enacted in 1949, at a time when Hawaii's population was less than half of what it is today. Chapter 128, Hawaii Revised Statutes, is based on the Federal Civil Defense Act of 1950, which was enacted for the purpose of preparing the nation for attack during the cold war era.

The passage of this bill will hopefully lead to the establishment of a multi-agency task force empowered to perform an objective review of Hawaii Revised Statutes Chapters 127 and 128, and provide recommendations for changes of these provisions to the 2013 Legislature.

I appreciate the opportunity to provide testimony in support of this bill.



Afaq Sarwar
P. O. Box 6136
Kamuela, HI 96743