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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Comments

HB1733 **RELATING TO PUBLIC SAFETY**

Testimony by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the House Committee on Public Safety

Thursday, January 30, 2014, 10:00 a.m.
Conference Room 309

Chair Aquino and Members of the Committee:

Thank you for the opportunity to comment on H.B. No. 1733, Relating to Public Safety.

Bill Overview

Generally, the bill:

- (1) Establishes a Hawaii disaster resilience task force to: review current disaster management coordination and other functional components of disaster planning; and develop recommendations on creating the Hawaii disaster resilience plan;
- (2) Requires the Office of Planning to assist the task force in performing its duties in carrying out its duties, and authorizes the task force to request staff assistance from the Departments of Budget and Finance; Business, Economic Development, and Tourism; Transportation; and Land and Natural Resources; and other appropriate state and county agencies; and
- (3) Requires the Legislative Reference Bureau to prepare the Hawaii disaster resilience plan by incorporating recommendations of the Hawaii disaster resilience task force, with the goal of defining and implementing state goals, objectives, policies, and priority guidelines.

The timeline proposed in the bill requires the task force to submit a report of its findings, program recommendations, and proposed legislation, if any, to the Legislature and to the Legislative Reference Bureau no later than twenty days prior to the convening of the Regular Session of 2015.

Once the Bureau receives the task force's report, the Bureau is required to prepare the Hawaii disaster resilience plan, which shall define and implement state goals, objectives, policies, and priority guidelines in the State's efforts to plan for, respond to, and recover from disasters and emergencies and submit the plan to the 2016 Legislature. In preparing the plan, the Bureau is required to seek input from all state departments, solicit public views and concerns, and incorporate all or a portion of the recommendations reported by the Hawaii disaster resilience task force. The plan is to serve as a guideline for funding and implementation by state and county agencies. The bill also requires the Office of Planning to assist the Bureau in reviewing the plan. We also note that, realistically, most of this work by the Bureau to create the resilience plan will occur during the interim *after* the regular session of 2015 ends.

In 2017, the Bureau, with cooperation from the Office of Planning, is required to update the Hawaii disaster resilience plan and report to the Legislature.

Finally, the bill contains two separate appropriations of moneys for fiscal year 2014-2015 to the Bureau for the review, recommendations, and community planning to be performed by the Hawaii disaster resilience task force and for the Bureau to create the resilience plan.

Bureau's Comments

We note that, as currently drafted, the bill seems to be overly cumbersome in the execution of its stated purpose. The bill inexplicably splits administrative functions between the Office of Planning and the Bureau by charging the Office of Planning with the responsibility of providing administrative support to the task force, assisted by other executive agencies, while appropriating moneys to the Bureau to fund the task force's activities. We note that, historically, temporary entities that are administratively attached to executive branch agencies have their administrative and support needs (e.g., staffing, report writing, etc.) handled solely by the executive agency to which they are attached. Accordingly, it seems that all administrative responsibilities and funding would more appropriately be vested in the Office of Planning.

In addition, the Bureau does not currently have the administrative personnel resources to handle the additional responsibilities of managing travel and meeting arrangements, expense reimbursement, and other ministerial functions imposed by the bill as drafted.

Furthermore, the bill vests the function of developing recommendations and reporting on developing a disaster resilience plan with the task force, then charges the Bureau with the responsibility of actually preparing the plan. At this point, it is unclear to us how the Bureau

would be in a position to come up with a "plan" that would provide additional substance to the task force's report of findings, recommendations, and proposed legislation. If further study and an additional document is necessary, it would seem more efficient to have one entity, with suitable expertise in disaster management and resilience strategy development, to do both.

The Bureau would be happy to assist the task force in drafting any legislation that may be necessary to effectuate its purpose, but the bill, as drafted, seems to unnecessarily divide responsibilities between agencies and may actually impair the task force's ability to execute its duties.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1733
A BILL RELATING TO PUBLIC SAFETY

PRESENTATION TO
THE HOUSE COMMITTEE ON TRANSPORTATION

BY

MAJ GEN DARRYLL D. M. WONG
ADJUTANT GENERAL AND DIRECTOR OF STATE CIVIL DEFENSE
January 30, 2014

Chair Yamane, Vice Chair Takayama, and Members of the House Committee on Transportation.

I am Maj Gen Darryll D.M. Wong, State Adjutant General and Director of State Civil Defense. I am testifying in **SUPPORT** of the intent of House Bill 1733.

We all agree with the intent of House Bill 1733. There is a need for a task force to establish a coordinated response by government, military, and business organizations to natural and man-made disasters. The effort will require a whole of community approach, as every entity in this state will have to understand their role in making Hawaii resilient to disasters.

Currently, there are already ongoing efforts by a group comprised of the State Department of Defense, Office of Homeland Security, Pacific Command (PACOM), University of Hawaii, IT companies, power company, financial institutions, airlines, Federal law enforcement, and universities and companies outside of Hawaii that are meeting to establish a structure to address the issue of cyber resiliency in Hawaii. This group is working collaboratively to establish a structure within the State of Hawaii to work toward addressing cyber resiliency in the State to include education, cyber security, critical infrastructure protection, the economy, and how to develop the capacity/capability for all entities within State to be able to be resilient to cyber attacks.

These organizations can be the heart of the task force to achieve the objectives of this bill.

Thank you for the opportunity to provide testimony in **SUPPORT** the intent of HB 1733.

WRITTEN COMMENTS ONLY

TESTIMONY OF HERMINA MORITA
CHAIR, PUBLIC UTILITIES COMMISSION
DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE
HOUSE COMMITTEE ON PUBLIC SAFETY

JANUARY 30, 2014
10:00 a.m.

MEASURE: H.B. No. 1733
TITLE: Relating to Public Safety

Chair Aquino and Members of the Committee:

DESCRIPTION:

This measure proposes to create a twenty-five member Hawaii Disaster Resilience Task Force (“HDR Task Force”) that would be responsible for 1) reviewing “current disaster management coordination and other functional components of disaster planning,” and 2) to generate recommendations for a Hawaii Disaster Resilience Plan. The Chair of the Public Utilities Commission (“Commission”), or the Chair’s designee, is included among the HDR Task Force membership. H.B. No. 1733 also requires that assistance be given to the HDR Task Force by various governmental agencies, as necessary, including the Department of Budget and Finance, the Department of Transportation, and others. A list of HDR Task Force considerations and action items are listed, including the development of disaster resilience criteria to be followed in the State and the recommendation of changes to practices and policies for reaching disaster resilience targets over the long term.

POSITION:

The Commission supports the objective of creating a HDR Task Force. The Commission would also like to offer the following comments for the Committee’s consideration.

COMMENTS:

While the Commission may not have a direct role in disaster management coordination, it does have oversight of public utilities that provide essential services critical to the health, safety, and welfare of our communities. Therefore, the Commission will be pleased to be a member of the HDR Task Force to help ensure the preparedness and resiliency of these utilities during a disaster and through the recovery period.

Thank you for the opportunity to testify on this measure.



ATTN: Committee on Public Safety—Rep. Henry J.C. Aquino, Chair; Rep. Kaniela Ing, Vice Chair
HOUSE OF REPRESENTATIVES
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2014

Regarding Measure: HB1733
Hawaii Disaster Resilience Plan; Hawaii Disaster Resilience Task Force

Measure Title: RELATING TO PUBLIC SAFETY

Introducer(s): YAMANE, AQUINO, CULLEN, TAKAYAMA, YAMASHITA

Hearing Date & Time: 1/30/2014, 10:00AM, Room 309

Testimony Submitted by: Sarah Henly-Shepard, MPH, Ph.D.
Director, Consultant
Disaster Resilience, L.L.C.
P.O. BOX 256649, Honolulu, HI, 96825
www.disasterresiliencellc.org

Testimony:

My name is Sarah Henly-Shepard, Director and Consultant of Disaster Resilience, L.L.C. based in Honolulu, HI. I have been working in public health, community development, disaster preparedness, response, relief and resilience for over 10 years internationally and 5 years in Hawaii.

The Hawaiian Islands are at significant risk to impacts from natural and anthropogenic hazards, exacerbated by impacts from climate change and an over-dependency on imported food and energy. Although there are multiple agencies and efforts engaged in addressing the multi-faceted issues of disaster resilience (i.e. hazard mitigation, disaster preparedness, climate change, disaster risk reduction, planning, sustainable food policy, among others) they remain relatively disconnected. Currently there are multiple community-based disaster preparedness and resilience groups across O`ahu and the State, which are integrating these sectors and issues at the local level, building on local capacity and leveraging partnerships with residents, governmental agencies, non-governmental and community organizations, as evidenced in the recent development of a cross-island community resilience network. These efforts provide case studies and best practices for on-the-ground research and planning that offer sound and relevant guidance for this Measure and the resulting Task Force and Plan.

Thus, I support this bill with reservations, and suggest the following amendments: 1) increased inclusion and better integration of current multi-sector efforts impacting disaster resilience in the Plan development; 2) inclusion of at least one community chairperson as a representative of the cross-island community resilience network, to serve on the Task Force; and, 3) consideration for utilizing and building capacity of current (and future) community-based resilience efforts as a key pathway to development of a State Disaster Resilience Plan.

Mahalo for your time and consideration of my testimony.

Sincerely,

Sarah Henly-Shepard, MPH, Ph.D.
Director, Consultant, Disaster Resilience, L.L.C.

LATE

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 29, 2014 5:58 PM
To: pbstestimony
Cc: makaala@hawaiian.net
Subject: Submitted testimony for HB1733 on Jan 30, 2014 10:00AM

HB1733

Submitted on: 1/29/2014

Testimony for PBS on Jan 30, 2014 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Makaala Kaaumoana	Individual	Support	No

Comments: The Hanalei Watershed Hui strongly supports the purpose and intent of this legislation. We urge the committee to amend the bill to include community representation on the task force and to include the experience and expertise of the north shore communities of Kauai and Oahu who are currently engaged in the development of disaster resilience plans. Mahalo. Makaala Kaaumoana, Executive Director.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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