

SB 565

Report Title:

RELATING TO PUBLIC SAFETY

Measure Title:

Requires businesses located in tsunami evacuation areas to close at an unspecified period of time following first sounding of tidal wave or tsunami warning sirens until further notice. Makes qualifications for gas stations, businesses that sell staple goods, and health care providers.

TESTIMONY OF HERMINA MORITA
CHAIR, PUBLIC UTILITIES COMMISSION
DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE
SENATE COMMITTEE ON
PUBLIC SAFETY, INTERGOVERNMENTAL & MILITARY AFFAIRS

FEBRUARY 7, 2013
3:00 p.m.

MEASURE: S.B. No. 565
TITLE: Relating to Public Safety

Chair Espero and Members of the Committee:

DESCRIPTION:

This measure would require businesses located in tsunami evacuation areas to close once a civil defense warning is sounded for a tsunami or tidal wave. Specific time periods for required business closures are included in the bill. Finally, specific exceptions for various businesses operating in a tsunami evacuation area are set out.

POSITION:

The Commission cannot support this measure as written, and would like to offer the following comments for the Committee's consideration.

COMMENTS:

The Commission requests the Committee to include language in this measure that ensures that public utilities and other entities providing critical services as determined by State Civil Defense and the counties are exempted from this measure's requirements. In particular, the Commission notes that public utility companies providing electricity, gas, shipping, and telecommunications should be specifically exempted from S.B. No. 565's requirements.

Thank you for the opportunity to testify on this measure.

**TESTIMONY BEFORE THE SENATE COMMITTEE ON
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS**

S.B. No. 565

Relating to Public Safety

Thursday, February 7, 2013
3:00 pm
State Capitol, Conference Room 224

Ken Morikami
Manager, Health & Safety Department
Hawaiian Electric Company, Inc.

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

My name is Ken Morikami and I represent Hawaiian Electric Company and its subsidiary utilities Maui Electric Company and Hawaii Electric Light Company. We support the intent of Senate Bill 565 which requires businesses located in tsunami evacuation areas to close following tidal wave or tsunami warning sirens, but exempts certain types of businesses and health care providers.

We too have electric utility facilities such as power plants and substations located in evacuation areas that are critical infrastructure sites that should remain operational during these times. Please know that during these types of emergency situations, we will continue to operate under our emergency management plans to ensure our employees are safe.

Therefore we ask that you also exempt our electric utility facilities from closing during these siren warnings.

Thank you for the opportunity to testify on this matter.

DEPARTMENT OF EMERGENCY MANAGEMENT
CITY AND COUNTY OF HONOLULU
650 South King Street Honolulu, Hawaii 96813 / (808) 723-8960

KIRK CALDWELL
MAYOR



MELVIN N. KAKU
DIRECTOR

PETER J.S. HIRAI
DEPUTY DIRECTOR

February 1, 2013

The Honorable Will Espero, Chair
and Members
Committee on Public Safety, Intergovernmental
and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Espero and members:

SUBJECT: Senate Bill (SB) 565 Relating to Public Safety

The Department of Emergency Management (DEM), City and County of Honolulu, strongly opposes S.B. 565.

S.B. 565 provides a means to ensure businesses close during a tsunami warning. For several reasons this would be unenforceable. The Honolulu Police Department, the lead county agency for evacuation and response, would be very challenged in enforcing the closure of every business. Additionally, by definition, everyone with a State Tax Excise License would also be required to close if they are doing business, even out of their home.

During a tsunami event, DEM urges everyone to evacuate to the third floor and above in a reinforced concrete building of more than six stories. Businesses located in high-rises could potentially become safe refuge for evacuees; this bill could endanger lives by making them inaccessible. Finally, exempting certain businesses (gas stations, supply stores) is not realistic as the businesses provide critical services to the public but aren't any less hazardous to tsunami wave action. Keeping anyone within the tsunami evacuation zone is not prudent planning and creates a high-risk, life-threatening situation.

For these reasons above, I urge your committee to oppose S.B. 565.

Sincerely,

Handwritten signature of Melvin N. Kaku in black ink.
Melvin N. Kaku
Director

cc: Ember Shinn, Managing Director Designate

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



KIRK W. CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. MCCAULEY
DEPUTY CHIEFS

OUR REFERENCE GG-JK

February 7, 2013

The Honorable Will Espero, Chair
and Members
Committee on Public Safety, Intergovernmental
and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Espero and Members:

Subject: Senate Bill No. 565, Relating to Public Safety

I am Gordon Gomes, Captain of the Major Events Division, Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department opposes Senate Bill No. 565, Relating to Public Safety, which would require businesses located within a tsunami evacuation zone to close during a tsunami warning, with the exception of gas stations, health care providers, and businesses that sell staple items such as food, water, and batteries.

The Honolulu Police Department assists in warning businesses that are located within tsunami evacuation zones of the impending danger, but the decision to evacuate rests with the business owners. Because of this and the limited resources that the Honolulu Police Department has, it would be difficult and unrealistic to enforce Senate Bill No. 565 if the business owners refuse to close or evacuate during a tsunami warning.

Thank you for the opportunity to testify. I urge your committee to oppose Senate Bill No. 565.

Sincerely,

Handwritten signature of Gordon Gomes in black ink.

GORDON GOMES, Captain
Major Events Division

APPROVED BY:

Handwritten signature of Louis M. Kealoaha in black ink.

LOUIS M. KEALOHA
Chief of Police



STRUCTURAL ENGINEERS ASSOCIATION OF HAWAII
P.O. Box 3348, Honolulu, Hawaii 96801

February 5, 2013

TO: The Senate
Committee on Public Safety, Government Operations, and Military Affairs FAX 586-6659
Senator Will Espero, Chair; Senator Rosalyn H. Baker, Vice Chair

SUBJECT: **Senate Bill 565 Relating to Public Safety**
Hearing February 7, 2013 3:00 pm Conference Room 224

Honorable Members of the Committee:

The Structural Engineers Association of Hawaii (SEAOH) is the local chapter of the National Council of Structural Engineering Associations (NCSEA), and we have over 200 active members in Hawaii. SEAOH has a historic role spanning several decades in assisting Hawaii with preparedness for various hazards, including tsunamis, hurricanes and the associated coastal flooding.

We support the intent of Senate Bill 565, but would propose some amendments:

1. Evacuation of all persons from the tsunami evacuation zone is critical to life safety during a tsunami warning. Time is of the essence in this evacuation process, as demonstrated by the large number of casualties in Japan during the March 11, 2011 Tohoku Tsunami.
2. We therefore support the bill's intent to require all businesses in the tsunami evacuation zone to close after the first siren warnings are sounded. This gives the staff at these businesses time to facilitate their own evacuation.
3. We do not support the exemption provided for gas stations and stores selling "staples such as food, water, blankets, and batteries..." and propose that it be removed from the bill.
4. During recent tsunami warnings in Hawaii, long lines of cars have formed at gas stations as evacuees tried to fill their tanks on the suspicion that gas might not be available after the tsunami. People inside the evacuation zone also felt the need to buy emergency supplies when the warning sirens sounded. Both of these activities delay the evacuation process for these individuals, for the station or store staff, and for others caught in the resulting traffic jams.
5. All individuals in the tsunami evacuation zones should be required to leave immediately when a warning is announced. This includes store and gas station operators, and their staff. These individuals should not be expected to risk their safety for the convenience of other evacuees.
6. Since the tsunami inundation will only affect the coastal zones indicated on the tsunami evacuation maps, there will be ample gas stations and stores outside the evacuation zone where evacuees can purchase staples and fill their gas tanks if desired. There is no need to do this inside the evacuation zone.
7. The maximum driving distance to exit the tsunami evacuation zone is on the order of 8 to 10 miles. This would take less than one gallon of gas.

Gary Chock, S.E.

Ian Robertson, Ph.D., S.E.

SEAOH Legislative Committee

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 06, 2013 12:47 PM
To: PSMTestimony
Cc: ianrob@hawaii.edu
Subject: Submitted testimony for SB565 on Feb 7, 2013 15:00PM
Attachments: Senate Bill 565 SEAOH Testimony.pdf

SB565

Submitted on: 2/6/2013

Testimony for PSM on Feb 7, 2013 15:00PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Ian Robertson	SEAOH	Support	Yes

Comments: SEAOH supports the intent of this bill but would suggest an amendment to remove the exemption for gas stations and stores to remain open after a tsunami warning is sounded.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



Senator Will Espero, Chair
Senator Rosalyn H. Baker, Vice Chair
Committee on Judiciary & Labor

HEARING Tuesday, February 05, 2013
 10:00 am
 Conference Room 016
 State Capitol, Honolulu, Hawaii 96813

RE: **SB565, Relating to Public Safety**

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

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

RMH has concerns about SB565, which requires businesses located in tsunami evacuation areas to close at an unspecified period of time following first sounding of tidal wave or tsunami warning sirens until further notice and makes qualification for gas stations, businesses that sell staple goods, and health care providers.

We understand the genesis of this measure and the urgency to create a policy to avoid chaos during an emergency.

However, retailers and other businesses located in inundation areas already have detailed disaster policies in place. We are well-aware that our primary responsibility is to ensure the safety of our employees and our customers. Our emergency plans start with immediate action to the threat and extend through short-term and long-term recovery steps.

May we suggest that we attempt to identify those specific geographical areas that are problematic during an emergency situation and work with the community leaders to develop manageable solutions that are tailored to the particular needs of their residents?

Thank you for your consideration and for the opportunity to comment on this measure.

Carol Pregill, President

SB565

Submitted on: 2/6/2013

Testimony for PSM on Feb 7, 2013 15:00PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Menor	The Chamber of Commerce of Hawaii	Oppose	Yes



**Testimony to the Senate Committee on Public Safety, Intergovernmental and
Military Affairs
Thursday, February 7, 2013 at 3:00 P.M.
State Capitol - Conference Room 224**

RE: SENATE BILL NO. 565 RELATING TO PUBLIC SAFETY

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

The Chamber of Commerce of Hawaii ("The Chamber") **does not support SB 565 Relating to Public Safety.**

The Chamber is the largest business organization in Hawaii, representing more than 1,100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

The Chamber appreciates the intent of this bill. Safety of employees and the general public is a priority for business owners and managers. However, there are many concerns with the language and how it would affect businesses, the safety of their employees and our communities.

Thank you for this opportunity to express our views.

Testimony of Thomas J. Smyth, CEcD
Before the
Senate Committee on Public Safety, Intergovernmental and Military Affairs
Thursday, February 7, 2013, 3:00 p.m. Conference Room 224
SB565 Relating to Public Safety

Chair Espero, Vice Chair Baker and Committee Members:

I am testifying as an individual on SB 565 which would require businesses located in tsunami evacuation areas to close when tsunami warning sirens first sound. The measure exempts certain businesses from the requirement. I strongly oppose the measure as introduced.

For 23 years, I was DBEDT Civil Defense Coordinator, so have experience in disaster response processes. I also am a lecturer at the UHM TIM School and most recently lectured on “Crisis Management in Tourism” to Chinese travel industry professionals. Also I am a member of the Harbor Square AOA in the Downtown area.

I hope you are aware that almost all of the Downtown area is inside the latest version of the Honolulu tsunami evacuation zone. The older evacuation zone boundary was a line across the middle of Sand Island. The impact of this bill would be to shut down essentially all of the Downtown area and require that the building occupants take to their cars or other means of transportation and leave the area.

You may recall that in 1993 when sirens sounded about 10:00 am for a wave expected to arrive at 2:00 pm. There was no tsunami, but the result of the siren sounding was to move thousands of Downtown workers and their customers and clients from the safety of their high rise buildings to their very unsafe transportation which sat for hours in total traffic gridlock on H-1 and the particularly unsafe coastal highways which are in tsunami flood zones.

In 1994 sirens sounded at 5:00 am for a tsunami hitting at 10:00 am. Media advised everyone to stay home and not come into the central business district. The all-clear sounded about 11:30 am and people went to work. No traffic gridlock.

Current tsunami evacuation policy favors “vertical evacuation” if in a masonry building six floors or more. Vertical movement from the 3rd floor up is considered to be safer than leaving the building. Those in buildings that are shorter can easily go next door to a safe tall building. This is the procedure in Waikiki and is practiced frequently.

If there is a concern that there is no possibility of “vertical evacuation” in other tsunami evacuation zones, such the Ewa Plain, or the North Shore, then perhaps those areas should be specifically addressed in this bill. The bill as written is overly broad and represents very bad civil defense policy.

Thank you for the opportunity to provide testimony opposing this bill.