

STAND. COM. REP. NO.

247

Honolulu, Hawaii

February 8, 2013

RE: H.B. No. 849  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committees on Public Safety and Veterans, Military, & International Affairs, & Culture and the Arts, to which was referred H.B. No. 849 entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT,"

beg leave to report as follows:

The purpose of this measure is to better protect the people of Hawaii in emergencies or disasters by recodifying Hawaii's emergency management laws and bringing them into conformity with nationwide practices in emergency management. Specifically, this measure:

- (1) Establishes a Hawaii Emergency Management Agency in the State Department of Defense (DOD) with functions and authority previously held by the Civil Defense Agency of DOD;
- (2) Establishes the power and authority of the Hawaii Emergency Management Director;
- (3) Establishes a Hawaii Advisory Council on Emergency Management to confer with and advise the Governor in emergency management matters;
- (4) Clarifies the responsibilities that the mayors have in performing emergency management in their counties;

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- (5) Clarifies the power and authority of the Governor in emergency management; and
- (6) Repeals Hawaii Revised Statutes (HRS) chapters on Disaster Relief, and the Civil Defense Emergency Act, which have been determined to be obsolete with the creation of the Hawaii Emergency Management Agency.

The State Civil Defense, Department of Public Safety, Department of Defense, Civil Defense Advisory Council, Department of Emergency Management of the City and County of Honolulu, Honolulu Police Department, the Office of the Mayor of the County of Maui, Civil Defense Agency of the County of Hawaii, the Civil Defense Agency of the County of Maui, and a Maui County member of the Civil Defense Advisory Council supported this measure. The Judiciary offered comments on this measure.

Your Committees have amended this measure by:

- (1) Removing language that authorizes the Governor or a designated representative to order the National Guard into active service as "emergency personnel for emergency management functions";
- (2) Clarifying language that authorizes the Governor or a designated representative to order the National Guard into active service to provide support to other states in response for assistance under the Emergency Management Assistant Compact under chapter 128F, HRS, and specifies other duties for which an order to active service may be made by the Governor or a designated representative;
- (3) Making conforming amendments in section 601-1.5, HRS, by deleting references to civil defense and section 128-7, HRS, that are no longer valid;
- (4) Changing its effective date to July 1, 2050, to promote further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Public Safety and Veterans, Military, &



International Affairs, & Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 849, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 849, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety and  
Veterans, Military, &  
International Affairs, &  
Culture and the Arts,

  
K. MARK TAKAI, Chair

  
HENRY J.C. AQUINO, Chair





