



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

LATE

Testimony Presented Before the
House Committees on Public Safety and
Veterans, Military, & International Affairs & Culture and the Arts
February 8, 2018 at 9:05 a.m.

By
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And
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HB 2582 – RELATING TO PUBLIC SAFETY

Chairs Takayama and LoPresti, Vice Chairs Gates and Fukumoto, and members of the committees:

Thank you for the opportunity to provide testimony on House Bill 2582. This measure establishes a Hawai'i disaster preparedness task force to review current disaster management coordination and other functional components of disaster planning within the National Disaster Preparedness Training Center (NDPTC) at the University of Hawai'i in the College of Social Sciences. It also requires NDPTC to prepare the Hawai'i disaster preparedness plan, incorporating input from all state agencies, public views and concerns, and recommendations of the task force. This plan is to be submitted to the legislature no later than twenty days prior to the convening of the regular session of 2020.

NDPTC is authorized by the U.S. Congress to develop and deliver training courses on natural hazards and disaster response and recovery. It has developed FEMA certified training courses and has trained more than 30,000 emergency managers and first responders across 270 cities in the United States.

The College and NDPTC support the intent of the bill to improve statewide disaster and emergency preparedness systems and protocols, provided that its passage does not replace or adversely impact priorities as indicated in the University's Board of Regents approved executive supplemental budget. Given the visibility and significance of recent events, we support the State of Hawai'i in its efforts to plan for, respond to, and recover from disasters and emergencies. Successfully accomplishing these critical goals would require adequate staffing with appropriate expertise. If this effort is fully funded by the legislature, NDPTC will support the task force and work with it to create the disaster preparedness plan. However, NDPTC lacks resources to undertake the project within the existing UH budget.

Preliminary budget estimates are approximately \$700,000 for two years, with work beginning this summer, to meet the reporting deadline.

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To: House Committees on Public Safety and on Veterans, Military, &
International Affairs, & Culture and the Arts

From: Cheryl Kakazu Park, Director

Date: February 8, 2018, 9:05 a.m.
State Capitol, Conference Room 312

Re: Testimony on H.B. No. 2582
Relating to Public Safety

Thank you for the opportunity to submit testimony on this bill, which would establish a Hawaii Disaster Preparedness Task Force. The Office of Information Practices (“OIP”) takes no position on the substance of the bill, but has concerns regarding the exemption of the proposed task force from the Sunshine Law, part I of chapter 92, HRS.

OIP’s first concern is a technical problem: the Sunshine Law is only part I of chapter 92, whereas this bill (at page 5, lines 12-13) would exempt the task force from all of chapter 92, including miscellaneous provisions on copy fees for government records and general powers of boards. **A Sunshine Law exemption should be from “part I of chapter 92” only.**

OIP’s greater concern is a substantive one: Why does the proposed task force require a complete exemption from the Sunshine Law? It is charged with reviewing, soliciting input on, and developing recommendations for the creation of a Hawaii disaster preparedness guide, a subject of high public interest, and on which it would benefit the task force members to hear from the

public. It does not appear from the specific goals described on bill pages 6 and 7 that the task force would be discussing sensitive info that it could not protect under the Sunshine Law's closed meeting purposes.

OIP notes that the task force's proposed 27 members would make for a larger than usual board, including several members each from the House, the Senate, and each county. If the reason this bill proposes exempting the task force from the Sunshine Law is a concern about limiting the legislator members' or county members' ability to talk about disaster preparedness outside a meeting of the proposed task force, **OIP would recommend that instead of exempting the entire task force from the Sunshine Law, a special permitted interaction could instead be created to allow any number of members less than a quorum to discuss the business of the task force outside a meeting.** With a 27-member task force, such a provision would be more than adequate to allow all nine county members to talk together about disaster planning, for instance, but **would still be much better for public participation than a flat exemption as proposed by this bill.** To amend the bill to provide such a permitted interaction, these Committees should **amend the sentence beginning at bill page 5 line 12 (currently "The task force shall be exempt . . .") to instead read "Two or more members of the task force, but less than the number of members which would constitute a quorum for the task force, may discuss matters relating to task force business outside a meeting of the task force, and such discussions shall be a permitted interaction pursuant to section 92-2.5, HRS."**

Alternatively, OIP would recommend that these Committees simply delete the Sunshine Law exemption at bill page 5 lines 12-13.

Thank you for the opportunity to testify.

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

LATE

TESTIMONY ON HOUSE BILL 2582, RELATING TO EMERGENCIES

Before the House Committee on
PUBLIC SAFETY
and
VETERANS, MILITARY AND INTERNATIONAL AFFAIRS & CULTURE AND THE ARTS

by

MOSES KAOIWI
Interim Administrator, Hawaii Emergency Management Agency (HI-EMA)

Chairs Takayama and Lopresti and Vice-Chairs Gates and Fukumoto and Members of the Committees

HB 2582 proposes the establishment of a statewide disaster preparedness task force and plan to be developed by the National Disaster Preparedness Training Center (NDPTC) at the University of Hawaii.

The Hawaii Emergency Management Agency (HI-EMA) opposes the bill and offers the following comments:

- HRS §127A-3 identifies the Hawaii Emergency Management Agency (HI-EMA) as the lead Agency responsible for coordinating statewide emergency management functions. Emergency preparedness and planning are core emergency management functions. HB 2582 proposes to task these key emergency management functions to the NDPTC, which neither has a mandate for statewide emergency management, nor has sought to discuss or coordinate these types of activities with HI-EMA.
- HB 2582 proposes to establish a task force, led by NDPTC, to develop recommendations for the creation of a State disaster preparedness plan. HI-EMA and the county emergency management/civil defense agencies are not identified as members of this task force. The work to be completed by the task force duplicates work already being done by HI-EMA as well as the assessment of the emergency management enterprise being conducted by the Deputy Adjutant General. The proposed task force membership does not consist of emergency management professionals with the type of experience that would be needed to provide the detailed evaluation and recommendations proposed in this measure.
- The measure further proposes that NDPTC use the recommendations of the task force to develop and maintain a statewide preparedness plan. Because NDPTC has no authority or capability to implement the plan, our recommendation is that statewide preparedness planning will be most effective if it remains the domain of State and

County emergency management agencies, who have the necessary partnerships, resources, expertise and authority for both plan development and implementation.

Thank you for the opportunity to comment on House Bill 2582.

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HB-2582

Submitted on: 2/7/2018 8:48:11 AM

Testimony for PBS on 2/8/2018 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

LATE

HB-2582

Submitted on: 2/7/2018 3:58:28 PM

Testimony for PBS on 2/8/2018 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omanapono Political Action Committee (HPAC)	Support	Yes

Comments:

LATE

HB-2582

Submitted on: 2/7/2018 4:00:43 PM

Testimony for PBS on 2/8/2018 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Ho`omana Pono, LLC	Support	Yes

Comments:

HB-2582

Submitted on: 2/5/2018 3:49:44 PM

Testimony for PBS on 2/8/2018 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl		Comments	No

Comments:

Another task force? Who will be on it? More retired generals and military? Perhaps some average citizens would add to the thoughts about how to keep everyone safe. The military thinks one way based on all of their bases here, govt. thinks one way, what about the average citizen?

Just sending a suggestion.

HB-2582

Submitted on: 2/7/2018 10:03:36 PM

Testimony for PBS on 2/8/2018 9:05:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Don Aweau		Support	Yes

Comments:

In support of the bill. In addition, urge the committees to consider the inclusion of a task force member from the Federal Emergency Management Agency to provide recommendations for the creation of the Hawaii disaster preparedness plan. Mahalo for the opportunity to provide testimony.