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STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON
HOUSE BILL 2693 HD2, RELATING TO PUBLIC SAFETY

Before the Senate Committee on
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

By

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

Chair Nishihara, Vice Chair Wakai, and Members of the Committee:

The Hawaii Emergency Management Agency (HI-EMA) *supports* House Bill 2693 HD2.

House Bill 2693 HD 2 proposes adding a new section to Chapter 127A, Hawaii Revised Statutes that prohibits places of public accommodation from denying shelter to any person when an emergency alert advises the public to immediately seek shelter, until a federal, state, or county emergency management official advises that the emergency condition no longer exists. It provides for a civil penalty for denying shelter and designates the Department of the Attorney General as the investigating agency for such complaints. It provides immunity for private property owners who provide access to land, shelter or subsistence during emergencies or disasters without expectation of remuneration.

HI-EMA supports efforts to encourage the private sector to assist in providing shelter during disasters or emergencies.

Thank you for the opportunity to provide this testimony in **SUPPORT** of House Bill 2693 HD2.

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MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

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**HEARING BEFORE THE SENATE COMMITTEE ON
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 229
TUESDAY, MARCH 13, 2018 AT 1:30 P.M.**

To The Honorable Clarence K. Nishihara, Chair;
The Honorable Glenn Wakai, Vice Chair; and
Members of Committee on Public Safety, Intergovernmental & Military Affairs;

TESTIMONY IN OPPOSITION OF HB 2693 RELATING TO PUBLIC SAFETY

Aloha, my name is Pamela Tumpap and I am the President of the Maui Chamber of Commerce. I am writing share our opposition to HB 2693.

We have all gone through a very frightening event and understand that many people have already learned from the day we received the false missile alert. It was clear that some businesses did not have proper policies and protocols in place, but have since clarified, changed or established new policies and procedures. We understand the intent of this bill, but we don't believe that responsibility should first fall on businesses and public accommodations. The first line of responsibility is the State and local government. We appreciate that the State is addressing the issues that occurred during the false missile alert and are looking to improve the emergency management plans, but have found that there are gaps in current plans and areas that need to be addressed, from the "All-Hazards Preparedness Improvement Action Plan and Report" from Brigadier General Kenneth S. Hara, before creating a legislative mandate.

We currently have the "State of Hawaii Hurricane Evacuation Shelter Planning and Operations Guidelines," which is a comprehensive plan including shelter space, evacuation, roles and responsibilities, logistics, etc. in the event of a hurricane. This plan is a great example of how we should look to create plans for other natural disasters and emergencies, including a missile alert/threat.

We ask that instead of this mandate on businesses, the bill should be amended to appropriate funds and create a task force including the business sector, nonprofits, community partners, and State agencies to make guidelines and a plan for the event of a missile alert. A plan with guidelines would also give the public more confidence in the State in the event of an alert as they will know where to go (if they are not at home) and what to expect.



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Once guidelines and a plan are created, the State can then assess government properties for sheltering and approach businesses about being designated shelter locations in gap areas. With the guidelines in place, businesses can make an informed decision about whether they have the necessary space, supplies and operations to shelter. We believe many businesses will voluntarily sign on to be a designated shelter as they will see the benefits to themselves and the community and a mandate such as this bill will not be necessary.

Further, by simply mandating that businesses shelter all people seeking immediate cover, there is a disregard for the various risks and factors such as:

- Building safety and durability
- Adequate space and overcrowding
- Food and water supplies
- Access to healthcare
- Infectious diseases
- Dangerous situations
- Access to radios and communications

A comprehensive plan can contain assessments and include ways to address these factors and if a business has agreed to be a designated shelter, they will understand these risks and be better prepared.

We ask that the Committee please consider our suggestions and amend the bill to create a plan first so businesses and the public will be prepared in the future.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

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HB-2693-HD-2

Submitted on: 3/12/2018 4:28:15 PM

Testimony for PSM on 3/13/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
svea breckberg	Individual	Support	No

Comments:

HB 2693 HD2 will help prevent Hawaii becoming famous for more people dying here than in Puerto Rico as a result of a similar category 4 hurricane possibly directly hitting Oahu. Your vote yes for HB 2693 HD2 may save hundreds of lives, prevent thousands of injuries if Oahu is directly struck by a CAT 4 hurricane, the way Oahu almost was in September 1992. All the experts say Oahu narrowly escaped immense tragedy by Hurricane Iniki mostly turning the last day to instead slam directly into Kauai. I recommend you read the expert statistics in the "Worst-Case Scenarios in Hawaii" article in the October 2013 Honolulu Magazine that appears on the third page if you google Hawaii Hurricane Shelters.

I assume you know the content of Gina Mangieri's 2 November 2017 published KHON2 broadcast about almost all of our public school shelters only being CAT 1 hurricane protective, also all those schools having severe shelter space shortage problems. That broadcast said: "The state is also looking at how to support hotels by reducing liability if they agree to provide shelter."

HB 2693 HD2 is the only proposed law progressing through our legislature this session that will save lives any time in the next couple years. The pilot retrofit program of HB 2196 HD1, while important and commendable, will naturally take time to achieve the hoped for CAT 3 hurricane protection result in some buildings in four schools. HB 2693 HD2 will help alleviate the very serious public safety deficiency that almost all of our Hawaii public school hurricane shelters can provide sufficient protection only against CAT 1 hurricane winds for only a small percentage of our people.

This bill has no cost to the taxpayer budget. It will lessen our people's uncertainty and anxiety about where they can go in an emergency, providing them with more shelter options. It may improve our state government's reputation for caring about public safety.

Hawaii's people will appreciate this legislative initiative as the Hawaiian spirit "right thing to do" in an emergency.

HB 2693 HD2 will provide favorable public relations for the places of public accommodation that would probably need to provide residents less than ten hours of emergency shelter in hallways, stairwells and solid interior rooms without windows that are in strong protective concrete buildings. If people arrive at unsafe wood places of public accommodation that are constructed too poorly to be a "safe haven" for the particular degree of emergency threat, shelter seekers could be referred elsewhere to sufficiently protective buildings. During a bad hurricane some shelter seekers would hopefully become more familiar with one or more hotels close to their homes, so that if their homes are destroyed or badly damaged for months, they may be more likely to choose those hotels for temporary residence, using their homeowners' insurance benefits or under the FEMA transitional sheltering assistance program.

HB 2693 HD2 is essential because places of public accommodation are more numerous than the number of concrete apartment buildings where a particular family may be fortunate enough to have a kind relative or very good friend willing to give them temporary shelter. Particularly for wood home residents of Leeward Oahu, there is a deep worry about how many weeks it will take for transportation officials to remove dangerous debris blocking our many smaller roads, after the long time before needed to clear the main roads. Those residents need to drive so many miles back to their wood homes to salvage what they can, take photos of the damage to send to their insurance companies, get some determination of how long their wood homes will not be liveable and find new homes. As an example, some of the over 45,000 residents of our Oahu Leeward Coast hope that a temporary Ko Olina hurricane shelter will get them much sooner back to their home than a Pearlridge or Honolulu apartment of a relative or friend.

We can not control where our people decide to go in an emergency. We can only try to increase people's options and educate them about those. I encourage you to vote yes on HB 2693 HD2 because recent hurricane experience elsewhere demonstrated government needed everyone's help (public and private) to better prepare for and recover from those many disasters.

If HB 2693 HD2 does not become law, the only two safe options almost all of our people living in wood homes have in a hurricane over 95 mph are to get advance approval from their employers in a safe concrete building (if they are so fortunate) for their families to stay there during and after the emergency, or get the same advance approval from

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relatives or very good friends living in safe concrete apartment buildings. Many residents do not have either of those options, or hate to have to ask.