

JAN 24 2019

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# A BILL FOR AN ACT

RELATING TO EMERGENCY MANAGEMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 127A-3, Hawaii Revised Statutes, is  
2 amended by amending subsections (c) and (d) to read as follows:

3           "(c) The [~~director~~] administrator may, from funds allotted  
4 therefor, employ technical, clerical, administrative, and other  
5 personnel and make such expenditures as may be necessary.

6           (d) The [~~director~~] administrator shall coordinate the  
7 activities of the agency with all county emergency management  
8 agencies, other state agencies, other states, or federal  
9 agencies involved in emergency management activities, and all  
10 organizations for emergency management within the State, whether  
11 public or private, and shall maintain liaison and cooperate with  
12 all county emergency management agencies, other state agencies,  
13 other states, or federal agencies involved in emergency  
14 management activities as provided in this chapter."

15           SECTION 2. Section 127A-5, Hawaii Revised Statutes, is  
16 amended by amending subsection (i) to read as follows:

17           "(i) Each county, under the mayor's direction, shall  
18 coordinate, develop, and implement [~~an~~] a comprehensive

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1 emergency [~~operation~~] management plan for the county[-] and  
2 submit annual reports to the administrator on the status and  
3 updates of the plan."

4 SECTION 3. Section 127A-6, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "~~§127A-6~~ Emergency management reserve corps. (a) The  
7 [~~director~~] administrator may establish an emergency management  
8 reserve corps comprising trained specialists to support state  
9 and county emergency [~~or~~], disaster, or day to day requirements.

10 The emergency management reserve corps may include:

11 (1) Any employee of the State or county;

12 (2) Any employee hired specifically for staffing during  
13 emergency, disaster, and day to day periods and exercises who  
14 shall be hired and compensated without regard to chapters 76,  
15 78, and 88; and

16 (3) Any volunteer,  
17 who shall be detailed in accordance with this chapter.

18 Emergency reserve corps positions shall be authorized and  
19 managed by the agency and do not need the approval of the  
20 governor.

21 (b) The emergency management reserve corps shall support  
22 state emergency or disaster requirements and, if requested by a

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1 county emergency management agency, supplement the county  
2 emergency management agency staff. The emergency management  
3 reserve corps may be mobilized during, or in advance of,  
4 emergencies or disasters, or for emergency management [~~exercises~~  
5 ~~and training events.~~] day to day activities. Emergency  
6 management reserve corps members shall attend a minimum of [~~four~~  
7 ~~days~~] forty hours of paid [~~training~~] activities per year."

8 SECTION 4. Section 127A-16, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "**§127A-16, Major disaster fund.** (a) The director shall  
11 submit requests to the legislature to appropriate from the  
12 general revenues of the State sufficient moneys as may be  
13 necessary for expenditure by or under the direction of the  
14 governor for immediate relief in response to an emergency or  
15 disaster in any part of the State; provided that:

16 (1) The governor has issued a proclamation of a state of  
17 emergency;

18 (2) The governor may not expend in excess of [~~\$5,000,000~~]  
19 \$10,000,000 for immediate relief as a result of any  
20 single emergency or disaster; and

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1           (3) In addition to the funds in paragraph (2), an  
2           additional \$5,000,000 may be made available solely for  
3           the purpose of matching federal disaster relief funds  
4           when these funds become available to the State  
5           following a presidential disaster declaration.

6 In expending the moneys, the governor may allot any portion  
7 thereof to any agency, office, or employee of the State or a  
8 county for the most efficient relief for the population.

9 Notwithstanding this subsection, the only exception to  
10 paragraphs (1), (2), and (3) is that the [~~director~~]  
11 administrator may use up to [~~\$100,000~~] \$250,000 per year to  
12 support emergency management reserve corps [~~training~~].

13           (b) No later than [~~one month~~] sixty days after any  
14 allotment by the governor or the expenditure of any fund moneys,  
15 the [~~director~~] administrator shall report to the legislature on  
16 the purpose of the allotment or expenditure.

17           (c) Except as provided in subsection (d), federal  
18 reimbursement moneys for disaster relief shall be deemed to be  
19 trust moneys and may be deposited into a trust account with and  
20 under the control of the department of defense. These moneys  
21 and any interest earned thereon shall be used for the purpose

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1 identified in subsection (a) and shall not lapse to the general  
2 fund.

3 (d) In cases in which the department of education expends  
4 the funds appropriated to the department for purposes deemed to  
5 be reimbursable by federal reimbursement moneys for disaster  
6 relief, the federal reimbursement moneys shall not lapse to the  
7 general fund and shall be credited directly to the department of  
8 education without regard to whether the original appropriation  
9 has lapsed. Such funds shall carry over in accordance with  
10 section 37-41.5(c)."

11 SECTION 5. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:                     *M. J. C.*                    

17

BY REQUEST

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**Report Title:**

Emergency Management

**Description:**

To improve and enhance the effectiveness of the State Emergency Management Program through modifications and additions to the Hawaii Revised Statute Chapter 127A.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

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## JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO  
CHANGES TO EMERGENCY MANAGEMENT.

PURPOSE: To improve and enhance the effectiveness  
of the State Emergency Management Program  
through modifications and additions to  
chapter 127A, Hawaii Revised Statutes.

MEANS: Amend sections 127A, (c) and (d),  
127A-5(i), 127A-6, and 127A-16,  
Hawaii Revised Statutes.

JUSTIFICATION: In the last year the State of Hawaii  
has experienced challenges and  
opportunities in the sustainment and  
development of the State Emergency  
Management program. From the  
missile alert notification in  
January, through the April flooding  
on Kauai and Oahu, through the  
statewide impacts of tropical system  
Lane in August, and most recently  
through the statewide impacts from  
tropical system Olivia in September,  
Hawaii Emergency Management Agency  
(HI-EMA) has balanced incidents both  
natural and human-caused to help  
protect lives, property, and the  
environment. During this time, HI-  
EMA has been through a leadership  
change and has set a path ahead to  
build morale throughout the  
organization, public confidence in  
the State emergency management  
program, and strength in  
partnerships with our public and  
private sector stakeholders. There  
are multiple areas in current law  
under chapter 127A Emergency  
Management that need modifications  
support these efforts including:

section 127A-3 Hawaii emergency management agency, section 127A-5 County emergency management agency, section 127A-6 Emergency reserve corps, section 127A-16 Major disaster fund, and section 127A-19 Shelters.

Impact on the public: Improved response and recovery to state emergencies and disasters.

Impact on the department and other agencies: Enhanced effectiveness to response and recovery operations.

GENERAL FUND: None.

OTHER FUND: None.

PPBS PROGRAM DESIGNATION:

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon adoption.