

JAN 23 2020

**S.B. NO. 2887**

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# A BILL FOR AN ACT

RELATING TO EMERGENCY MANAGEMENT.

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

PART I

1  
2 SECTION 1. The legislature finds that disaster recovery is  
3 a complex and long-term process that involves a range of  
4 activities and many participants. Recovery begins shortly after  
5 the disaster occurs and can continue for many years. It  
6 involves short-term restoration of essential community functions  
7 and long-term resilient rebuilding. It also incorporates hazard  
8 mitigation as restoration and rebuilding take place.

9 State, public, and private organizations share in providing  
10 for the public's health and safety. It is essential that the  
11 response, recovery, and mitigation activities of all parties be  
12 fully aligned. The purpose of this Act is to enhance the  
13 capacity of the government, relevant agencies, and the community  
14 to recover from the impacts of disasters and build resilience  
15 and sustainability by establishing the long-term recovery  
16 authority to work with the state disaster recovery coordinator,  
17 whose position was funded through the governor's executive  
18 budget in 2019.

1 SECTION 2. Chapter 127A, Hawaii Revised Statutes, is  
2 amended by adding new sections to be appropriately designated  
3 and to be read as follows:

4 "§127A- Long-term recovery authority; general functions,  
5 duties, and powers. (a) There is established the long-term

6 recovery authority under the Hawaii emergency management agency  
7 whose purpose is to:

8 (1) Recommend policy decisions and set strategic direction  
9 for resilient recovery planning;

10 (2) Develop legislative recommendations to further  
11 recovery goals;

12 (3) Approve administrative decisions of the state disaster  
13 recovery coordinator; and

14 (4) Facilitate the identification, coordination, and  
15 delivery of recovery assistance to supplement  
16 resources and efforts by local governments and  
17 citizens.

18 (b) The long-term recovery authority shall be flexible in  
19 size and composition to meet the requirements of the situation  
20 and integrate personnel from all relevant entities.

21 (c) The long-term recovery authority shall be convened by  
22 the state disaster recovery coordinator.

1       (d) The long-term recovery authority shall include the  
2 following members:

3       (1) The adjutant general, or designee;

4       (2) The administrator of the Hawaii emergency management  
5 agency, or designee;

6       (3) The state coordinating officer, or designee for active  
7 disasters;

8       (4) The director of finance, or designee;

9       (5) County mayors, or designees; and

10       (6) The directors, or their designee, of state departments  
11 or agencies for each of the recovery support function  
12 primary agencies.

13       (e) In addition to the members listed in subsection (d),  
14 the state disaster recovery coordinator may designate  
15 participation or input from members of the public, experts in  
16 the field, other government officials, and others as necessary.

17       (f) At the discretion of the state disaster recovery  
18 coordinator, non-state government entity members of the long-  
19 term recovery authority may be reimbursed for their actual and  
20 necessary expenses, including travel expenses, incurred in  
21 carrying out their duties.

22       (g) The long-term recovery authority shall not be subject  
23 to the requirements of part I of chapter 92.

1        §127A- State disaster recovery coordinator; general  
2 functions, duties, and powers. The state disaster recovery  
3 coordinator shall report to the governor and support and convene  
4 the long-term recovery authority, and shall:

- 5        (1) Establish and maintain recovery priorities and  
6        strategy on behalf of the governor;
- 7        (2) Convene and provide executive level coordination for  
8        local, state, and federal agencies working on disaster  
9        recovery programs and budgets;
- 10       (3) Facilitate disaster recovery collaboration between the  
11       local, state, and federal governments, the private  
12       sector, and voluntary, faith-based, and community  
13       organizations;
- 14       (4) Serve as a state point of contact with federal  
15       agencies with the supervising federal recovery  
16       officer;
- 17       (5) Develop a budget and operating procedures to fulfill  
18       duties and administer the long-term recovery  
19       authority; and
- 20       (6) Review recovery plans, policies, and decisions as  
21       required by this section and submit a report to the  
22       governor, the legislature, and the counties no later

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1 than twenty days prior to the convening of the regular  
2 session of 2021 and every year thereafter."

3 SECTION 3. Section 127A-2, Hawaii Revised Statutes, is  
4 amended by adding a new definition to be appropriately inserted  
5 and to read as follows:

6 "Recovery support functions" means as defined by the  
7 national disaster recovery framework that establishes six key  
8 functional areas for coordination: community planning and  
9 capacity building; economic, health, and social services;  
10 housing; infrastructure; and natural and cultural resources."

11 PART II

12 SECTION 4. The office of the governor shall establish two  
13 full-time equivalent positions, without regard to chapters 76  
14 and 89, Hawaii Revised Statutes, to support the state disaster  
15 recovery coordinator and the long-term recovery authority to  
16 carry out the purposes of this Act. The positions shall include  
17 two planners.

18 SECTION 5. There is appropriated out of the general  
19 revenues of the State of Hawaii the sum of \$550,000 or so much  
20 thereof as may be necessary for fiscal year 2021-2022 for the  
21 Hawaii emergency management agency to support the governor's  
22 state disaster recovery coordinator as an operating budget for  
23 the purpose of this Act.

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1 The sum appropriated shall be expended by the office of the  
2 governor for the purposes of this Act.

3 PART III

4 SECTION 6. New statutory material is underscored.

5 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:                     *W. J. ...*                    

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BY REQUEST

**Report Title:**

Emergency Management

**Description:**

Establish a Long-term Recovery Authority to work with the State Disaster Recovery Coordinator in enhancing the capacity of the government, relevant agencies, and the community to recover from the impacts of disasters and build resilience and sustainability in the State.

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

# SB. NO. 2081

## JUSTIFICATION SHEET

DEPARTMENT: Defense

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

PURPOSE: To enhance the capacity of the government, relevant agencies, and the community to recover effectively from the impacts of disasters by establishing the Long-Term Recovery Authority (LTRA) to work with the State Disaster Recovery Coordinator (SDRC), funded through the Governor's executive budget in FY2019-2020. This legislation formally establishes the LTRA and describes the position of the SDRC.

MEANS: Add two new sections to chapter 127A and amend section 127A-2, Hawaii Revised Statutes.

JUSTIFICATION: Mandating the creation of the LTRA and defining the role of the SDRC in disaster recovery statewide will enhance the capacity of the government, relevant agencies, and the community to recover from the impacts of disasters. This bill will facilitate the identification, coordination, and delivery of recovery assistance needed to supplement recovery resources and efforts by local governments and citizens.

This bill also recommends a means of guiding policy decisions and setting strategic direction for recovery planning; develops legislative recommendations to further recovery goals; and provides for approval of the administrative decisions of the SDRC.



Disaster recovery is a complex and long-term process that involves a broad range of activities and participants. Preparing for recovery is a continuous process that begins before a disaster, while actual recovery operations begin shortly after the disaster occurs - and can continue for many years. Recovery involves state, public, and private support for short-term restoration of essential community functions and long-term resilient rebuilding. Recovery also incorporates hazard mitigation for strategic use of resources as restoration and rebuilding take place. Response, recovery, and mitigation activities of all parties be fully aligned to be effective.

The bill clarifies that the SDRC will convene meetings of the LTRA, and the LTRA will recommend policies and plans to the Governor and approve administrative decisions of the SDRC.

Funds are needed to support two (2) FTEs under the SDRC and professional services to develop an implementation plan.

The general fund appropriation included in this measure has been proposed with consideration of the statutorily defined appropriation ceiling for the Executive Branch pursuant to section 37-92, Hawaii Revised Statutes. The total proposed appropriations from the General Fund (which include the Executive Supplemental Budget for FB 2019-2021 and Administration Proposal BUF-08(20), appropriation for bargaining unit 13 collective bargaining increases to be submitted) exceed the appropriation ceiling by \$24,761,740 (or 0.3%) in fiscal year 2020-2021. Funding requested in this measure to increase the capacity to recover from disasters, establishing an LTRA and providing capacity for the SDRC will result in the appropriation ceiling for the

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Executive Branch to now be exceeded in fiscal year 2020-2021 by an additional \$550,000 or 0.00006%. This current declaration takes into account additional general fund appropriations authorized for fiscal year 2020-2021 in the Executive Supplemental Budget, administration proposal BUF-08(20), and this measure only, and does not include other general fund appropriations for fiscal year 2020-2021 that may be authorized for the Executive Branch in other legislation submitted to the Legislature during the regular session of 2020.

Impact on the public: Improves short-term restoration of essential community functions and long-term resilient rebuilding through improved coordination and collaboration. It also incorporates hazard mitigation for a strategic use of resources as restoration and rebuilding take place.

Impact on the department and other agencies: State, public, and private organizations share in providing for the public's health and safety. It is essential that the response, recovery, and mitigation activities of all parties be fully aligned via the establishment of the LTRA coordinated by the SDRC.

GENERAL FUND: \$550,000.

OTHER FUND: None.

PPBS PROGRAM DESIGNATION: DEF 110.

OTHER AFFECTED AGENCIES: Department of Land & Natural Resources, Department of Transportation, Department of Human

Services, Department of Business & Economic Development, Department of Hawaiian Homelands, Department of Budget and Finance, County Mayors, and state departments or agencies for each of the Recovery Support Functions (RSF).

EFFECTIVE DATE: Upon approval.