

JAN 23 2020

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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. The legislature finds that Hawaii is vulnerable  
2 to catastrophic natural disasters such as earthquakes, tsunami,  
3 floods, volcanic eruptions, and high winds that can devastate  
4 communities. The legislature also finds that there is a need  
5 for all sectors of communities throughout the State to prepare  
6 for and perform relief activities after disasters. As community  
7 members are often the first at the scene of a disaster, the  
8 incorporation of multisector preparation programs and community  
9 groups into disaster preparedness plans increases the scope and  
10 efficacy of disaster relief activities, manages the risks  
11 associated with disasters, and mitigates the hardship of these  
12 crises.

13           The purpose of this Act is to improve the State's  
14 preparedness for and response to communities affected by  
15 disasters.

16           SECTION 2. Section 107-27, Hawaii Revised Statutes, is  
17 amended to read as follows:



1           "§107-27 Design of [~~state~~] public buildings. (a) No  
2 later than one year after the adoption of codes or standards  
3 pursuant to section 107-24(c), the design of all state building  
4 construction shall be in compliance with the Hawaii state  
5 building codes, except state building construction shall be  
6 allowed to be exempted from:

- 7           (1) County codes that have not adopted the Hawaii state  
8 building codes;  
9           (2) Any county code amendments that are inconsistent with  
10 the minimum performance objectives of the Hawaii state  
11 building codes or the objectives enumerated in this  
12 part; or  
13           (3) Any county code amendments that are contrary to code  
14 amendments adopted by another county.

15           (b) Exemptions shall include county ordinances allowing  
16 the exercise of indigenous Hawaiian architecture adopted in  
17 accordance with section 46-1.55.

18           (c) The State shall consider hurricane resistant criteria  
19 when designing and constructing new public schools for the  
20 capability of providing shelter refuge.



1        (d) All public buildings constructed after January 2021  
2 shall be designed to withstand category four and higher  
3 hurricanes and to be used as shelters in the event of an  
4 emergency."

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

7        "[~~†~~]**§127A-3**[~~†~~] **Hawaii emergency management agency.** (a)  
8 There is established within the department of defense the Hawaii  
9 emergency management agency. The adjutant general shall serve  
10 as the director of Hawaii emergency management and, subject to  
11 the direction and control of the governor, shall oversee the  
12 agency.

13        (b) There shall be an administrator of emergency  
14 management who shall be appointed, and may be removed, by the  
15 director, and who shall have at least three years of experience  
16 leading emergency management efforts at the local, state, or  
17 federal level. The administrator of emergency management shall  
18 be the civilian head of and responsible for the day-to-day  
19 operations of the agency. The administrator of emergency  
20 management shall report to the director. The administrator of



1 emergency management shall, in the absence of the director, have  
2 all the duties and responsibilities of the director, and shall  
3 report directly to the governor. The administrator of emergency  
4 management shall not be subject to chapter 76.

5 (c) The administrator may, from funds allotted therefor,  
6 employ technical, clerical, administrative, and other personnel  
7 and make such expenditures as may be necessary.

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

17 In addition:

18 (1) The department of health shall establish a statewide  
19 inventory of:

20 (A) Hospitals;



1           (B) Dialysis centers and the number of patients who  
2           can be treated at each dialysis center per day;  
3           and

4           (C) Other medical facilities,  
5           for disaster and emergency preparedness and response  
6           infrastructure. The inventory shall be updated  
7           annually; and

8           (2) The department of accounting and general services  
9           shall establish a statewide inventory of generators to  
10           provide backup power for disaster and emergency  
11           preparedness and emergency response infrastructure.  
12           The inventory shall be updated annually.

13           (e) The agency shall perform emergency management  
14 functions within the territorial limits of the State. In  
15 performing its duties, the agency shall:

16           (1) Prepare a state comprehensive emergency management  
17 plan, which shall be integrated into and coordinated  
18 with the emergency management plans of the federal  
19 government. The plan shall be integrated by a  
20 continuous, integrated comprehensive emergency



1 management program. The plan shall contain provisions  
2 to ensure that the State is prepared for emergencies  
3 and minor, major, and catastrophic disasters. In  
4 preparing and maintaining the plan, the agency shall  
5 work closely with agencies and organizations with  
6 emergency management responsibilities;

7 (2) Assign lead and support responsibilities to state  
8 agencies and personnel for emergency functions and  
9 other support activities;

10 (3) Adopt standards and requirements for county emergency  
11 management plans. The standards and requirements  
12 shall ensure that county plans are coordinated and  
13 consistent with the state comprehensive emergency  
14 management plan;

15 (4) Make recommendations to the legislature, building code  
16 organizations, and counties for zoning, building, and  
17 other land use controls; and other preparedness,  
18 prevention, and mitigation measures designed to  
19 eliminate emergencies or reduce their impact;



- 1           (5) Anticipate trends and promote innovations that will  
2           enhance the emergency management system;
- 3           (6) Institute statewide public awareness programs. This  
4           shall include intensive public educational campaigns  
5           on emergency preparedness issues, including but not  
6           limited to the personal responsibility of individual  
7           citizens to be self-sufficient for up to fourteen days  
8           following a natural or human-caused disaster;
- 9           (7) Coordinate federal, state, and local emergency  
10          management activities and take all other steps,  
11          including the partial or full mobilization of  
12          emergency management forces and organizations in  
13          advance of an actual emergency, to ensure the  
14          availability of adequately trained and equipped forces  
15          of emergency management personnel before, during, and  
16          after emergencies and disasters;
- 17          (8) Implement training programs to improve the ability of  
18          state and local emergency management personnel to  
19          prepare and implement emergency management plans and  
20          programs. This shall include a continuous training



1 program for agencies and individuals that will be  
2 called on to perform key roles in state and local  
3 post-disaster response and recovery efforts and for  
4 local government personnel on federal and state post-  
5 disaster response and recovery strategies and  
6 procedures;

7 (9) Adopt standards and requirements for state agency  
8 emergency operating procedures and periodically review  
9 emergency operating procedures of state agencies and  
10 recommend revisions as needed to ensure consistency  
11 with the state comprehensive emergency management plan  
12 and program; and

13 (10) Coordinate, in advance whenever possible, such  
14 executive orders, proclamations, and rules for  
15 issuance by the governor as are necessary or  
16 appropriate for coping with emergencies and disasters.

17 (f) The agency shall establish a statewide inventory of  
18 twenty-four satellite phones for state and county agencies to  
19 use during and after disasters."





1 SECTION 4. Section 127A-19, Hawaii Revised Statutes, is  
2 amended by amending subsection (f) to read as follows:

3 "(f) For purposes of this section, "shelter" includes any  
4 structure, excavation, or other facility or item used or useful  
5 for the protection of persons[-] and any public building  
6 constructed after January 2021 that meets the requirements of  
7 section 107-27(d)."

8 SECTION 5. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ or so  
10 much thereof as may be necessary for fiscal year 2020-2021 for:

11 (1) The hiring of four full-time equivalent (4.0 FTE)  
12 logistic planners and one full-time equivalent (1.0  
13 FTE) grants manager, with employee competencies in  
14 emergency response planning and allocation of  
15 resources; and

16 (2) The Hawaii emergency management agency to review  
17 shortages related to non-perishable food, water,  
18 medicines, and other essential items in emergency  
19 response planning and allocation of resources where



1           need is greatest or not sufficiently provided by the  
2           Federal Emergency Management Agency.

3           The sum appropriated shall be expended by the Hawaii  
4 emergency management agency for the purposes of this Act.

5           SECTION 6. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$           or so  
7 much thereof as may be necessary for fiscal year 2020-2021 for  
8 the department of agriculture to:

- 9           (1) Procure and store enough non-perishable food to  
10           provide assistance for fourteen days to at least one  
11           million individuals affected by natural disasters; and  
12           (2) Ensure that food stocks are appropriately rotated to  
13           preserve usable resources and dispose of surplus or  
14           rotated food stocks by donation to the respective food  
15           banks in each county, when appropriate.

16           The sum appropriated shall be expended by the department of  
17 agriculture for the purposes of this Act.

18           SECTION 7. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.



# S.B. NO. 3072

1 SECTION 8. This Act shall take effect upon its approval;  
 2 provided that sections 5 and 6 and shall take effect on July 1,  
 3 2020.

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# S.B. NO. 3072

**Report Title:**

Emergency Management; Disaster Preparedness and Response;  
Appropriation

**Description:**

Improves the State's preparedness and response to disasters. Requires statewide inventories of hospitals, dialysis centers, and medical facilities; satellite phones; and generators to provide backup power. Appropriates funds for positions related to emergency response planning and allocation of resources and for non-perishable food in natural disasters.

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