

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

**TESTIMONY ON
SENATE BILL 3161,
RELATING TO SOCIAL INFRASTRUCTURE FOR COMMUNITY PROBLEM-SOLVING**

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

By

Thomas L. Travis
Administrator, Hawaii Emergency Management Agency (HI-EMA)

Chairs Thielen and Nishihara, Vice Chairs Inouye and Wakai, and Members of the Committees:

The Hawaii Emergency Management Agency (HI-EMA) **supports the intent** of Senate Bill 3161.

SB 3161 releases selected state resources, under certain conditions, to join a civic collaborative to build social infrastructure for sustainable solutions to community problems.

Although the authorities for the governor to release qualified state workers to serve in community-based disaster relief networks during governor declared states of emergency exist, the current policies, plans, and procedures do not support the broad goals of collaboration expressed in this bill. The fiscal, administrative, and personnel policy revisions to accomplish the goals would be extensive and require a statewide effort.

Coordination with non-governmental entities is permitted by Chapter 127A-3, which states “*The administrator shall coordinate the activities of the agency with...all organizations for emergency management within the State, whether public or private...*” HI-EMA and the Department of Defense regularly engage the private sector and voluntary agencies in aspects of its emergency management program, including mitigation, planning, training, exercises, response and recovery activities.

Similarly, programs to encourage the formation and integration of community-based disaster relief networks exist in all counties. Programs such as the Community Emergency Response Team (CERT) and the Hawaii Hazards Awareness and Resilience Program (HHARP) are ongoing initiatives that recruit, train and engage community members in emergency preparedness and response. Each county also maintains an active relationship with a coalition of non-profit groups called Voluntary Agencies Active in Disaster (VOAD). Each county has local plans that address how these groups will be incorporated into emergency response activities.

The bill proposes authorizing state employees living in an impacted disaster area to be compensated for performing recovery and relief activities in their communities. HI-EMA believes the bill’s intent is currently addressed by existing language in Chapter 127A.

Chapter 127A-8 (b), addresses compensation for state employees engaged in emergency activities.

If any state or county official, officer, or employee is engaged in carrying out this chapter in lieu of the official, officer, or employee's regular office or employment,

the amount of the official, officer, or employee's compensation shall not be adversely affected, and the official, officer, or employee's rights in or under the laws relating to vacation and leave, the retirement system, civil service or the like, shall not be adversely affected.

Chapter 127A-12 (b)(16) gives the Governor the authority to direct state employees to engage in emergency response activities.

Order and direct government agencies, officials, officers, and employees of the State, to take action and employ measures for law enforcement, medical, health, firefighting, traffic control, warnings and signals, engineering, rescue, construction, emergency housing, other welfare, hospitalization, transportation, water supply, public information, training, and other emergency functions as may be necessary, and utilize the services, materials, and facilities of the agencies and officers. All agencies and officers shall cooperate with and extend their services, materials, and facilities to the governor as the governor may request;

HI-EMA believes that Chapter 127A in its current form permits engagement of private sector, non-profit organizations, community-based groups, and state employees in emergency management activities. - But the underlying fiscal, administrative, and personnel procedures and policies need to be changed to allow the broader goals of this bill.

Note: My comments represent HI-EMA concerns at the state emergency management level only. I would defer to the separate comment/testimonies of the county emergency management agencies, as they would be the jurisdictions impacted by this legislation at the local level.

Thank you for the opportunity to provide testimony on Senate Bill 3161.

Thomas L. Travis: Thomas.l.travis@hawaii.gov; 808-733-4300

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



SCOTT T. MURAKAMI
DIRECTOR

ANNE E. PERREIRA- EUSTAQUIO
DEPUTY DIRECTOR

JOVANIE DOMINGO DELA CRUZ
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
OFFICE OF COMMUNITY SERVICES

830 PUNCHBOWL STREET, ROOM 420
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8675 / Fax: (808) 586-8685
Email: dlir.ocs@hawaii.gov

February 3, 2020

To: The Honorable Laura H. Thielen, Chair
The Honorable Lorraine R. Inouye, Vice Chair, and Members of the
Senate Committee on Government Operations
And
The Honorable Clarence K. Nishihara, Chair
The Honorable Glenn Wakai, Vice Chair, and Members of the
Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Re: **SB 3161**, Relating to Social Infrastructure for Community Problem-Solving
Hearing: Thursday, February 6, 2020, 2:45 pm, Room 225
Position: **Comments Only**

Aloha, Chairs Thielen and Nishihara, Vice Chairs Inouye and Wakai, and Members of the
Committees:

The Office of Community Services (OCS) often functions as an expending agency for Chapter 42F grants in aid. Accordingly, OCS limits its comments to Section 2 of the bill, which relates to situations in which a Chapter 42F recipient might request that the expending agency amend its grant contract to release its contractor's employees during a state of emergency declared by the governor "to conduct civilian disaster responses pursuant to authorized plans of the Hawaii emergency management agency" under certain conditions.

OCS believes that using services of a Chapter 42F contractor in emergencies might very well be a laudable purpose, but OCS lacks the expertise to comment authoritatively as to whether this proposal could result in potentially unacceptable risks of unforeseen consequences, such as legal liabilities for injuries or other legal liabilities. OCS defers to persons and agencies with greater expertise in the emergency management field.

Thank you for the opportunity to provide comments on this measure.

Respectfully,


Jovanie Domingo Dela Cruz
Executive Director



Pono Hawai'i Initiative

Josh Frost - President • Patrick Shea - Treasurer • Kristin Hamada
Nelson Ho • Summer Starr

Wednesday, February 5, 2020

Relating to Social Infrastructure for Community Problem-Solving
Testifying in Support

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports SB3161 Relating to Social Infrastructure for Community Problem-Solving.**

PHI supports measures that aim to encourage the building of strong civic infrastructure and community involvement, especially to prepare for times of natural disasters and other periods of extreme community stress. We are stronger together than we are alone.

For all these reasons, we urge you to move this bill forward.

Mahalo for the opportunity,
Gary Hooser
Executive Director
Pono Hawai'i Initiative



**Testimony to the Senate Committees
on Public Safety, Intergovernmental and Military Affairs and
Government Affairs
Senator Clarence Nishihara, Chair
Senator Laura Thielen, Chair
Thursday, February 6, 2020
Conference Room 225**

Dear Chairs Nishihara and Thielen, and members of the PSM and GVO Committees,

On behalf of the Hawai'i Alliance of Nonprofit Organizations, I would like express general support of the concepts of SB 3161, Relating to Social Infrastructure for Community Problem Solving.

SB 3161 authorizes certain state grant-in-aid recipients to request certain amendments to GIA contracts during governor declared states of emergency. It also authorizes the governor to release qualified state workers to serve in community based disaster relief networks during and in participation of governor-declared states of emergency.

Hawai'i Alliance of Nonprofit Organizations (HANO) is a statewide, sector-wide professional association of nonprofits. Our mission is to unite and strengthen the nonprofit sector as a collective force to improve the quality of life in Hawai'i. Our member organizations provide essential services to every community in the state.

HANO supports a civically engaged populace and believes all sectors - corporate, government and nonprofit, including the average citizen, should have a say and be able to assist in community matters.

In the matter of the usage of GIA funds during declared disasters, nonprofit grantees who may act as first responders, might appreciate this flexibility in the GIA funding. More technical questions may arise from grantees as to how their grants will be modified to account for the change in service related to the original GIA funds.

In the matter of dispatching government employees to the charitable nonprofit sector, especially in times of declared disasters, the temporary exemption of rules and policies governing how human capital and other resources can be deployed, will result in quicker and more effective response.

HANO is also considering mechanisms like the federal policy which allows for such movement of government employees to other government entities, the private sector and vice versa.

HANO Testimony, p. 2
SB 3161
Senate PSM/GVO Committees
February 6, 2020

Originally passed in the early 70's, the Intergovernmental Personnel Act Mobility Program (5 CFR part 334) provides for the temporary assignment of personnel between the Federal Government and state and local governments, colleges and universities, Indian tribal governments, federally funded research and development centers, and other eligible organizations. The goal of the Mobility Program is to facilitate the movement of employees, for short periods of time, when this movement serves a sound public purpose such as:

- Strengthening the management capabilities and implementation effectiveness of Federal agencies, State, local and Indian tribal governments, and other eligible organizations;
- Assisting the transfer and use of new technologies and approaches to confronting public problems;
- Facilitating an effective means of involving state and local officials in developing and implementing Federal policies and programs;
- Strengthening relationships and building empathy among government and eligible organization employees working on related issues
- Providing program and developmental experience which will enhance employee performance

HANO is exploring a similar concept as it might apply at the state level. We imagine this kind of mechanism might allow for the movement of people and expertise as this bill suggests.

HANO supports the strengthening of our collective collaborative muscle across sectors, and neighborhoods, now rather than later, to prepare for any crisis that might affect the state of Hawaii and require our quick, coordinated action.

We would be willing to also participate in such a collaborative that works to train and coordinate together for disaster response with other stakeholders, as this bill suggests.

Mahalo for the opportunity to provide testimony.

Lisa Maruyama
President and CEO