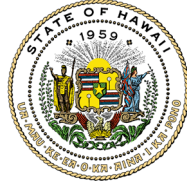


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STEPHEN F. LOGAN
MAJOR GENERAL
ADJUTANT GENERAL
KA 'AKUKANA KENELALA

JAMES DS. BARROS
ADMINISTRATOR OF
EMERGENCY MANAGEMENT
KAHU HO'OMALU PŌULIA

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF DEFENSE
KA 'OIHANA PILI KAUA
HAWAI'I EMERGENCY MANAGEMENT AGENCY
4204 DIAMOND HEAD ROAD
HONOLULU, HAWAI'I 96816-4420

STATE OF HAWAI'I
DEPARTMENT OF DEFENSE
EMERGENCY MANAGEMENT

TESTIMONY ON HOUSE BILL 596 HD1,
RELATING TO EMERGENCY MANAGEMENT

BEFORE THE SENATE COMMITTEE ON
PUBLIC SAFETY AND MILITARY AFFAIRS

BY

JAMES DS. BARROS
ADMINISTRATOR
HAWAI'I EMERGENCY MANAGEMENT AGENCY

MARCH 12, 2025

Aloha Chair Elefante, Vice-Chair Wakai, and Members of the Committee:

Thank you for the opportunity to submit a testimony to **OPPOSE** House Bill 596 HD1.

The Hawai'i Emergency Management Agency expresses its opposition for House Bill 596 HD1, which defines specific categories of events recognized as disasters and emergencies within the framework of emergency management.

The bill's specificity will restrict our capacity to respond effectively to unforeseen events. The original language allows for greater flexibility, enabling HIEMA to address a wider array of potential disasters, emergencies, and threats, and will ensure that those with executive powers have the capability to take prompt action when necessary.

Thank you for the opportunity to provide a testimony on House Bill 596 HD1.

James Barros: james.barros@hawaii.gov; 808-733-4300



March 12, 2025

COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Sen. Brandon Elefante, Chair; Sen. Glenn Wakai, Vice Chair; and Committee Members
Public Hearing, March 12, 2025, 3:00 p.m. – Conference Room 225, State Capitol

TESTIMONY OF WILLIAM F. ANONSEN
MANAGING PARTNER/PRINCIPAL OF THE MARITIME GROUP
IN SUPPORT OF HB 596 HD 1 (Clarifies Types of Emergency Management Events)

My name is William F. Anonsen, the Managing Partner/Principal of The Maritime Group, and I am submitting testimony in support of HB 596 HD1, which seeks to clarify and strengthen the definitions of "disaster" and "emergency" within Hawaii's emergency management statutes. This bill is a crucial step in ensuring that our state remains well-prepared to address a wide range of emergency situations and disasters effectively.

I was honored to serve as the chair of the Hawai'i Advisory Council on Emergency Management (HACEM) for ten (10) years, from 2011 to 2021. In this role, I worked closely with state and federal agencies, private sector partners, and community organizations to enhance Hawai'i's emergency preparedness and response efforts. My experience in emergency management underscores the critical need for the updates proposed in this legislation.

Importance of HB 596 HD1

Hawai'i faces a unique set of challenges when it comes to emergency management. As a multi-island state, we are particularly vulnerable to natural disasters such as hurricanes, tsunamis, earthquakes, and volcanic activity. Additionally, the growing risks associated with climate change, extreme weather events, disease outbreaks, and potential human-caused incidents underscore the need for a robust and clearly defined emergency management framework.

By refining the definitions of "disaster" and "emergency" in Section 127A-2, Hawai'i Revised Statutes, this measure:

1. Provides Clearer Legal Definitions – Ensures consistency in how disasters and emergencies are classified and managed, reducing ambiguity in response protocols.
2. Expands Recognition of Modern Threats – Explicitly includes events such as air and water contamination, bioterrorism, and disruptions of state services, which align with contemporary emergency risks.
3. Enhances Interagency Coordination—This bill strengthens collaborative response efforts during crises by specifying that assistance may be required from other counties, states, federal agencies, or private organizations.

1000 Auahi Street, Suite 1509 Honolulu, Hawai'i, 96814
Tel: (808) 589-1223 www.The-Maritime-Group.com

The Need for Immediate Action

While Hawai'i has made significant strides in improving emergency preparedness, the evolving nature of both natural and human-caused threats necessitates ongoing updates to our laws. The clarifications provided in HB 596 HD1 will:

- Improve the ability of emergency management agencies to mobilize resources quickly and efficiently.
- Ensure that legal definitions align with best practices and federal guidelines.
- Minimize risks to public health, safety, and critical infrastructure by enabling timely action.

I urge the Committee to pass HB 596 HD1 to provide Hawai'i's emergency management agencies with the necessary tools to respond effectively to disasters and emergencies. Clear definitions and comprehensive preparedness strategies are vital to safeguarding our communities, and this bill represents a proactive step toward a more resilient Hawai'i.

Mahalo for the opportunity to testify in support of this critical measure.

Respectfully submitted,

William F. Anonsen

William F. Anonsen
Managing Partner/Principal
THE MARITIME GROUP

March 12, 2025, 3 p.m.
Hawaii State Capitol
Conference Room 225 and Videoconference

To: Senate Committee on Public Safety and Military Affairs
Sen. Brandon J.C. Elefante, Chair
Sen. Glenn Wakai, Vice-Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

TESTIMONY IN SUPPORT OF HB596 HD1 — RELATING TO EMERGENCY MANAGEMENT

Aloha Chair Elefante, Vice Chair Wakai and other members of the Committee,

The Grassroot Institute of Hawaii would like to offer its **support** for [HB596 HD1](#), which would clarify the definitions of “emergency” and “disaster” for the purposes of Hawaii’s emergency management statute.

By specifying what constitutes an “emergency” or “disaster” under chapter 127A, this bill would go a long way toward addressing a growing problem in the application of the emergency management statute: the unchecked expansion of executive power via emergency proclamations.

As Grassroot discussed in its January 2021 policy brief “[Lockdowns Versus Liberty: How Hawaii’s Experience in 2020-2021 Demonstrates the Need to Revise the State’s Emergency Powers](#),” Hawaii’s governor has extremely broad powers to define what constitutes an emergency.¹

This has resulted in an ever-growing list of “emergencies” outside of the “immediate” and “catastrophic” threats described in this bill. Thus, important social issues such as homelessness or the lack of affordable housing have been declared “emergencies” so as to benefit from the broad powers granted to the executive under the statute.

¹ Malia Hill, “[Lockdowns Versus Liberty: How Hawaii’s Experience in 2020-2021 Demonstrates the Need to Revise the State’s Emergency Powers](#),” Grassroot Institute of Hawaii, January 2021.

This use of emergency power might be an effective way to streamline decision-making and cut through cumbersome regulations. However, it also upsets the state's constitutional balance of powers; allows the governor to act as a "super legislator" by waiving or suspending statewide laws; deprives the Legislature of its constitutional prerogative in the crafting of state policy; and frustrates efforts to enact permanent reforms.

Governing via executive order also has the effect of denying the public a voice on important issues, forcing the people to rely on the courts for redress — a slow and expensive process that acts as an additional barrier to public input.

Even those who agree with the goals or actions of some of these questionable emergency orders have expressed concern about the methodology behind them.

This problem is compounded by the lack of any meaningful time limit on emergency orders. The executive's ability to extend emergencies via supplemental proclamation means that an abuse of executive power could be extended indefinitely.

By creating a clear definition of the events that constitute an "emergency" or "disaster" under the law, HB596 HD1 would limit the potential for executive overreach via emergency orders.

The bill's list of emergency events, combined with its emphasis on immediate danger and timely action, gives a clear indication of legislative intent and would bring the statute in line with the common understanding of an emergency.

The experiences of the past few years have given us a better understanding of the need to reform Hawaii's emergency management statute. There is room to restore the constitutional balance of powers without handicapping the executive's ability to respond quickly and effectively to emergency situations.

By providing guidance on what an emergency is, HB596 HD1 would help reassert the Legislature's role in the use of emergency powers.

Sincerely,

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

HB-596-HD-1

Submitted on: 3/11/2025 6:46:59 AM

Testimony for PSM on 3/12/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Frank Schultz	Individual	Support	Written Testimony Only

Comments:

I support this initiative.