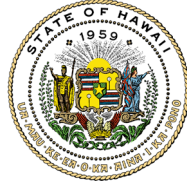


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



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
WAYS AND MEANS

BY

JAMES DS. BARROS
ADMINISTRATOR
HAWAI'I EMERGENCY MANAGEMENT AGENCY

APRIL 4, 2025

Aloha Chair Dela Cruz, Vice-Chair Moriwaki, 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.

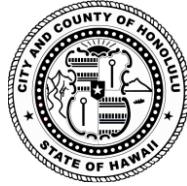
Thank you for the opportunity to provide a testimony on House Bill 596 HD1.

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

DEPARTMENT OF EMERGENCY MANAGEMENT
KA 'OIHANA HO'OKELE ULIA PŌPILIKIA
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, BASEMENT • HONOLULU, HAWAII 96813
PHONE: (808) 723-8960 • FAX: (808) 768-1492 • WEBSITE: honolulu.gov

RICK BLANGIARDI
MAYOR
MEIA



JENNIFER M. WALTER
ACTING DIRECTOR
PO'O KUIKAWA

April 2, 2025

LATE

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Sharon Y. Moriwaki, Vice-Chair
Committee on Ways and Means
The Senate
State Capitol
415 South Beretania Street, Room 211
Honolulu, Hawaii 96813

Dear Chair Dela Cruz, Vice-Chair Moriwaki, and Members of the Committee:

SUBJECT: Opposing House Bill 596 HD1
Relating to Emergency Management

Thank you for the opportunity to submit testimony to **OPPOSE** House Bill 596 HD1, which proposes revisions to Chapter 127A of the Hawaii Revised Statutes, specifically concerning the definition of "emergency" and "disaster."

The proposed revisions would significantly restrict our state and county's capacity to effectively manage unforeseen emergencies and disasters. The inclusion of specifically named disaster types is unnecessary and limits, directs, or otherwise constrains our ability to flexibly respond to all incidents that may threaten life, property, or the environment.

Furthermore, the proposed definitions in HB596 deviate significantly from established norms and could create confusion and impede timely response. The overly specific nature of the proposed disaster definition may also create legal hurdles in declaring a disaster.

I urge the committee to reject HB596 HD1.

Thank you for your consideration.

Sincerely,

Jennifer M. Walter
Acting Director

April 4, 2025, 10:46 a.m.
Hawaii State Capitol
Conference Room 211 and Videoconference

To: Senate Committee on Ways and Means
Sen. Donovan M. Dela Cruz, Chair
Sen. Sharon Y. Moriwaki, 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 Dela Cruz, Vice Chair Moriwaki 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 state’s 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

LATE

HB-596-HD-1

Submitted on: 4/3/2025 5:35:38 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Testifying for Hawaii Reef and Ocean Coalition and Climate Protectors Hawaii	Support	Written Testimony Only

Comments:

Hawaii Reef and Ocean Coalition and Climate Protectors Hawaii **SUPPORT** this bill defining any Governor's emergency powers!



SIERRA CLUB OF HAWAI'I

LATE

SENATE COMMITTEE ON WAYS AND MEANS

March 4, 2025

10:46 AM

Conference Room 211

In **SUPPORT** of **HB596 HD1**: RELATING TO EMERGENCY MANAGEMENT

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i is grateful for the opportunity to **STRONGLY SUPPORT** HB596 HD1, which will protect the public interest and our very system of constitutional democracy from the potential misuse of the executive branch's emergency powers.

As we have seen in recent years, the lack of clarity as to what should constitute an "emergency" justifying the use of the Governor's sweeping emergency powers has resulted in emergency proclamations that have significantly undermined the public interest, the public trust in government, and the separation of powers that is a foundation of our democracy. This includes an emergency proclamation on housing that attempted to use a century-long problem, rooted in nuanced economic policies and myriad social and historical factors, to broadly suspend and/or rewrite a suite of laws protecting our environmental and cultural integrity, food security, climate resilience, the public's right-to-know, fiscal transparency and accountability, and even collective bargaining rights - without any actual mechanisms to ensure that housing developed under the proclamation would be affordable, or reserved for current Hawai'i residents.

While this latter emergency proclamation was substantially scaled back in its subsequent iterations, significant concerns remain about the potential for any administration to declare long-standing and admittedly serious social challenges - such as housing, criminal activity, or poverty - "emergencies," and thereby exercise the power to repeal or rewrite legislation for an indefinite length of time. Without the transparency and public accountability of the legislature's democratic lawmaking process, this could easily lead to significant and long-lasting changes to public policy that unduly benefit politically connected special interests, at the expense of the public interest - and our very democracy itself.

This measure would help to mitigate the risk of executive overreach by simply clarifying that an emergency justifying the use of emergency executive powers should match its commonly understood definition, as a sudden event causing or threatening catastrophic harm, danger, or damage, that can be averted or minimized through timely action.

Accordingly, the Sierra Club respectfully urges the Committee to **PASS** HB596 HD1.

Mahalo nui for the opportunity to testify on this critical measure.

LATE

HB-596-HD-1

Submitted on: 4/3/2025 5:59:07 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Hedwig Warrington	Testifying for Kupuna for the Moʻopuna	Support	Written Testimony Only

Comments:

Kupuna for the Moʻopuna is in **STRONG SUPPORT of HB596 HD1** which ensures that the Governor cannot unilaterally suspend or rewrite laws enacted through the democratic legislative process.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through the democratic lawmaking process that includes public and subject matter expert input, and robust discussions between our elected representatives.

Please pass HB596 HD1. Mahalo.

LATE

HB-596-HD-1

Submitted on: 4/3/2025 5:59:32 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coalition	Support	Written Testimony Only

Comments:

Aloha Ways & Means Comittee leaders and members!

The Free Access Coalition supports HB596. If Hawaii's government expects to show the public transparency and government clear of dubious "emergencies", this Bill needs to become law.

A clear definition of "emergency" or "disaster" in simple and clear terms will allow the Hawaii Executive to use critical conditions as a basis for instituting Emergency Executive Action properly.

On the national level, we see how "emergency" executive orders can be completely misuesd at the expence of due democratic process. We cannot let any Governor misuse their emergency executive power without having a genuine emergency in progress.

Please forward this important Bill into State Law.

Mahalo for your time and hopefully your kokua!

HB-596-HD-1

Submitted on: 4/2/2025 6:46:22 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee,

MAHALO NUI for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot exploit longstanding and highly nuanced social problems, to unilaterally rewrite laws duly enacted by the legislature.

We cannot take our checks and balances and separation of powers for granted, if we wish to defend the foundation of our system of constitutional democracy. This measure is key to protecting this foundation, by establishing clear safeguards against the future abuse of the executive branch's emergency authorities to override the powers of its sister branches.

Accordingly, I respectfully urge you to PASS HB596 HD1. Mahalo for your consideration of this matter.

HB-596-HD-1

Submitted on: 4/3/2025 6:58:35 AM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Ayesha Nibbe	Individual	Support	Written Testimony Only

Comments:

Please pass this important bill to limit the Governor's use of extraordinary emergency powers to true emergencies. Democracy requires that the Legislature, not the Governor, decide important public policy issues. Thank you very much.

LATE

HB-596-HD-1

Submitted on: 4/3/2025 3:17:46 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is Andrew Isoda and I **strongly support this measure**.

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

Sincerely,
Andrew Isoda

Lahaina, Mau'i

LATE

HB-596-HD-1

Submitted on: 4/3/2025 3:27:26 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Bianca Isaki	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. **I strongly support this measure.**

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

Yours,

Bianca

LATE

HB-596-HD-1

Submitted on: 4/3/2025 3:36:05 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Janice Palma-Glennie	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

HB596 HD1 will help stop any Governor, current or future, from labeling and acting unilaterally on longstanding and nuanced social challenges by calling them “emergencies.”

in these times when our federal government can't be relied upon to follow our nation's laws, it's imperative for our state to do all it can to stop the "disease" of malignant, misguided, above-the-law leadership that is growing and can grow in hawai`i.

i ask that this committee support HB596 HD1 to help a'ole our current or any future governor from declaring a beyond-the-law emergency for housing, homelessness, illness or any other issue.

mahalo and sincerley,

janice palma-glennie

kailua-kona

LATE

HB-596-HD-1

Submitted on: 4/3/2025 3:48:22 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Brandt	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is Thomas Brandt and I **strongly support this measure**.

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

Sincerely,

Thomas Brandt

LATE

HB-596-HD-1

Submitted on: 4/3/2025 3:50:31 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Lory Ono	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is Lory Ono, and **I strongly support this measure.**

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

Sincerely,

Lory Ono

LATE

HB-596-HD-1

Submitted on: 4/3/2025 4:50:11 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Beppie Shapiro	Individual	Support	Written Testimony Only

Comments:

I strongly support HB596 HD1 which puts reasonable definitions on "emergency" and "Disaster" declarations which balance the need for swift action in threatening circumstances with prevention of over-reach by a Hawaii Administration (governor) to protect our legally adopted laws from being cancelled for the convenience or preference of the Administration.

LATE

HB-596-HD-1

Submitted on: 4/3/2025 5:11:57 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Ronnie Perry	Individual	Support	Written Testimony Only

Comments:

Emergency powers should not be used to bypass democratic norms. I strongly support this bill.

LATE

HB-596-HD-1

Submitted on: 4/3/2025 5:40:09 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Monica Morris	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Senate Ways and Means Committee,

Mahalo nui loa for the opportunity to testify in **STRONG SUPPORT** of HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally suspend or rewrite laws enacted through the democratic legislative process.

Our constitutional separation of powers recognizes that unchecked executive actions can jeopardize the public interest in myriad ways, as well as the public’s faith in government, and the very foundations of our representative democracy. While “emergency” executive authorities to suspend laws can be essential in the event of sudden and unexpected crises, they must not be used to override our fundamental system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors. Unfortunately, recent events have highlighted how statutory ambiguity on what constitutes an "emergency" could lead to the potential misuse of emergency powers by the executive branch, to unilaterally and indefinitely suspend and rewrite laws that should be the prerogative of the legislature.

HB596 HD1 accordingly draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through the democratic lawmaking process that includes public and subject matter expert input, and robust discussions between our elected representatives.

I believe this bill will help strengthen much-needed trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real

emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to PASS HB596 HD1. Thank you very much for your consideration of this testimony.

LATE

HB-596-HD-1

Submitted on: 4/3/2025 5:51:53 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Kylie Hopkins	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

My name is Kylie Hopkins and I am in **STRONG SUPPORT** of HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally suspend or rewrite laws enacted through the democratic legislative process.

Our constitutional separation of powers recognizes that unchecked executive actions can jeopardize the public interest in myriad ways, as well as the public’s faith in government, and the very foundations of our representative democracy. While “emergency” executive authorities to suspend laws can be essential in the event of sudden and unexpected crises, they must not be used to override our fundamental system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors. Unfortunately, recent events have highlighted how statutory ambiguity on what constitutes an "emergency" could lead to the potential misuse of emergency powers by the executive branch, to unilaterally and indefinitely suspend and rewrite laws that should be the prerogative of the legislature.

HB596 HD1 accordingly draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through the democratic lawmaking process that includes public and subject matter expert input, and robust discussions between our elected representatives.

I believe this bill will help strengthen much-needed trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**.

Kylie Hopkins

LATE

HB-596-HD-1

Submitted on: 4/3/2025 6:05:48 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Kaleiheana-a-Pohaku Stormcrow	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is Kaleiheana Stormcrow and I **strongly support this measure**.

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

Sincerely,
Kaleiheana Stormcrow

LATE

HB-596-HD-1

Submitted on: 4/3/2025 6:22:27 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Leonberger	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is Laura Leonberger and I **strongly support this measure**.

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Thank you very much for your consideration of this testimony.

Sincerely,
Laura Leonberger

LATE

HB-596-HD-1

Submitted on: 4/3/2025 6:34:56 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Kristen Young	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for the opportunity to testify in **STRONG SUPPORT** of HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally suspend or rewrite laws enacted through the democratic legislative process.

Our constitutional separation of powers recognizes that unchecked executive actions can jeopardize the public interest in myriad ways, as well as the public’s faith in government, and the very foundations of our representative democracy. While “emergency” executive authorities to suspend laws can be essential in the event of sudden and unexpected crises, they must not be used to override our fundamental system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors. Unfortunately, recent events have highlighted how statutory ambiguity on what constitutes an "emergency" could lead to the potential misuse of emergency powers by the executive branch, to unilaterally and indefinitely suspend and rewrite laws that should be the prerogative of the legislature.

HB596 HD1 accordingly draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through the democratic lawmaking process that includes public and subject matter expert input, and robust discussions between our elected representatives.

I believe this bill will help strengthen much-needed trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

Mahalo,

Kristen Young
Honolulu, HI 96813

LATE

HB-596-HD-1

Submitted on: 4/3/2025 6:37:03 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

I support HB596 HD1 that makes a clear distinction between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through the democratic lawmaking process that includes public and subject matter expert input, and robust discussions between our elected representatives.

Mahalo for the opportunity to testify.

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is Sally Lambert and I **strongly support this measure**.

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights. Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

LATE

HB-596-HD-1

Submitted on: 4/3/2025 6:58:11 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Hina Kneubuhl	Individual	Support	Written Testimony Only

Comments:

I write in support of this bill because I do not want to see the governor abuse his power again. When he declared an emergency and suspended the water code after the Lahaina fire in a BLATANT attempt at grabbing more water to give to his developer friends, I was absolutely disgusted. Suggesting that Kalo farmers and Hawaiians advocating for stream restoration were to blame for a lack of water to fight fires may be the worst, most insulting thing he's ever done to the Hawaiian community. So, handing him the power to do things outside the legislative process is a no go. Pass this bill to protect our democratic process and prevent overreach.
mahalo,

Hina

LATE

HB-596-HD-1

Submitted on: 4/3/2025 7:46:02 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Roberta Ku'u lei Keakealani	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and members if the Ways and Means Committee,

I ask that you please pass HB596 as it will help ensure our safety and rights inasmuch as it will ensure that the executive branch usues its emergency powers responsibly. It will further ensure that the governor, any governor, cannot label highly nuanced social problems as "emergencies" to suspend or re-write laws enacted through the democratic legislative process. Therefore, I urge you to pass HB596.

Mahalo and aloha~ R. Ku'u lei Keakealani

LATE

HB-596-HD-1

Submitted on: 4/3/2025 8:11:50 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is William Reese Liggett and I **strongly support this measure**.

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

Sincerely,
William Reese Liggett

LATE

HB-596-HD-1

Submitted on: 4/3/2025 8:22:08 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Seikai Darcy	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1 which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is Lisa Darcy from Kula, Maui, HI and I **strongly support this measure**.

There is much currently much chaos/uncertainty in our communities and HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

Now more than ever, we need clear lines to help strengthen trust in government. Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.

Sincerely,
Lisa Darcy

LATE

HB-596-HD-1

Submitted on: 4/3/2025 10:00:06 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrice Choy	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure to ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Please pass HB596 HD1.

Thank you.

LATE

HB-596-HD-1

Submitted on: 4/3/2025 11:05:35 PM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Manawaiakea	Testifying for E Ola Kakou Hawai'i	Support	Written Testimony Only

Comments:

Affidavit of Declaration

E Ola Kākou Hawai'i

509(a) Private Foundation | Private Member Association (PMA)

Kalaheo, Kaua'i | Ko Hawai'i Pae 'Āina

Affidavit of Declaration in Support of HB596 HD1 – Emergency Management Reform

Submitted to: Hawai'i State Senate, Ways & Means Committee

Hearing Date: April 4, 2025 | 1:00 PM

Affiant: Roslyn Manawaiakea Mālama Cummings, Po'o of E Ola Kākou Hawai'i

I. STATEMENT OF PURPOSE

This affidavit is submitted by E Ola Kākou Hawai‘i, a lawful 509(a) private foundation and Private Member Association, to affirm strong support for HB596 HD1, which seeks to impose clear, accountable, and constitutional boundaries on the use of emergency powers by the Governor and executive office.

We submit this testimony on behalf of the people and ‘ohana of this land, and in alignment with our kuleana to protect the health, rights, ‘āina, and future of nā kānaka under Hawaiian Kingdom law, international covenant, and constitutional standards.

II. CONTEXT & CONCERNS

During recent global and local crises, the unchecked extension of emergency declarations enabled unelected agencies and executive orders to:

- Override due process of law, rule of law
- Displace native land use and cultural practices
- Enforce medical mandates and surveillance without informed consent
- Suspend basic civil liberties with no clear standard for what constitutes an “emergency”

These powers, when left undefined or vaguely worded, invite corporate and political manipulation, placing the public trust, keiki, kūpuna, and ‘āina at risk.

III. GROUNDS FOR SUPPORT

We support HB596 HD1 because it:

1. Defines “emergency” and “disaster” with clarity, preventing arbitrary declarations.
2. Restores checks and balances between executive, legislative, and community authority.
3. Protects the rights of Private Member Associations and nonprofit foundations operating in good faith and cultural jurisdiction.
4. Upholds the principle that no emergency shall suspend God-given or inherent rights protected under the Constitution or customary law.

IV. CULTURAL & LEGAL FOUNDATIONS

Under Hawaiian Kingdom law and international law (UNDRIP, ICCPR), Kānaka Maoli and Indigenous peoples:

- Retain inherent self-determination
- Must not be subjected to foreign mandates or declarations made without free, prior, and informed consent
- Deserve immunity from emergency declarations that bypass lawful process and undermine ancestral land rights

V. CONCLUSION & DECLARATION

We, the undersigned, urge the passage of HB596 HD1, and further recommend:

- That any future emergency declarations be time-limited, narrowly defined, and subject to public review
- That the State recognize the lawful jurisdiction of Native Hawaiian trusts, foundations, and associations operating outside municipal constraints
- That the People be empowered to hold government accountable in all emergency-related actions

Let it be recorded and noticed that we stand in lawful unity, grounded in justice, kuleana, and spiritual discernment.

Signed:

Roslyn Manawaiakea Cummings

Po‘o | E Ola Kākou Hawai‘i

509(a) Private Foundation & PMA

Email: mana.eolakakouhawaii@gmail.com

Date: April 4, 2025

LATE

HB-596-HD-1

Submitted on: 4/4/2025 6:43:37 AM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl hendrickson	Individual	Support	Written Testimony Only

Comments:

This bill will help strengthen trust in government by ensuring emergency powers aren't used in situations that don't meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

LATE

HB-596-HD-1

Submitted on: 4/4/2025 7:10:46 AM

Testimony for WAM on 4/4/2025 10:46:00 AM

Submitted By	Organization	Testifier Position	Testify
Pamela Scott	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Ways and Means Committee,

Mahalo nui loa for hearing HB596 HD1, which ensures that the Governor - any Governor - cannot label longstanding and highly nuanced social problems as “emergencies,” to unilaterally rewrite laws duly enacted through the democratic legislative process. My name is Pamela Scott and I **strongly support this measure**.

In recent years - and weeks - we’ve seen firsthand how unchecked executive powers can jeopardize the public interest in myriad ways, as well as the public’s faith in government and the very foundation of our democracy itself. Accordingly, while “emergency” executive authorities can be essential in the event of sudden and unexpected crises, they must not be used to override our constitutional system of checks and balances, based on longstanding problems rooted in nuanced public policies and complex socioeconomic factors.

HB596 HD1 draws a clear line between what should qualify as a true emergency or disaster justifying emergency executive action, and what should be addressed through our democratic lawmaking processes that include public and subject matter expert input, and robust discussion between our elected representatives.

I believe this bill will help strengthen trust in government by ensuring emergency powers aren’t used in situations that don’t meet the high standards that should be required to override our democratic legislative processes. It honors both the need for quick action in real emergencies, and the value of transparency, community engagement, and legislative oversight for longer-term public policy challenges.

Please pass this bill and help ensure that the executive branch uses its emergency powers responsibly and in ways that protect both our safety and our rights.

Accordingly, I urge the Committee to **PASS HB596 HD1**. Thank you very much for your consideration of this testimony.