

STAND. COM. REP. NO.

574

Honolulu, Hawaii

Feb 16, 2007

RE: H.B. No. 1006
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Public Safety & Military Affairs, to which was referred H.B. No. 1006 entitled:

"A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS,"

beg leave to report as follows:

The purpose of this bill is to ensure Hawaii's readiness for disasters by establishing the Office of the Director of Disaster Preparedness (Director) and the Disaster Preparedness Commission (Commission) to develop a disaster preparedness plan for Hawaii that includes the identification of hazards and hazard impact zones; disaster mitigation policies, requirements, and incentives; and best responses.

For purposes of the public hearing on this bill, your Committees circulated a proposed H.D. 1 and notified the public that your Committees would be accepting testimony on the proposed H.D. 1 only. The proposed H.D. 1 amended the original draft of this measure, as received by your Committees, by:

- (1) Adding a definition for "disaster preparedness";
- (2) Amending the definition of "natural hazard" to include rise of ocean level;
- (3) Requiring the Director to have expertise in emergency management;

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- (4) Authorizing the Director to prepare and coordinate comprehensive plans and programs for disaster preparedness;
- (5) Requiring Commission members to have expertise in certain disciplines pertaining to disaster preparedness;
- (6) Providing additional Commission duties;
- (7) Authorizing the Commission to engage employees necessary to perform its duties, including working groups and administrative personnel;
- (8) Specifying that the authority of the Governor and political subdivisions to exercise powers relating to disasters resulting from enemy attacks to provide other disaster relief does not include functions performed by the Director and the Commission;
- (9) Making appropriations to fund Community Emergency Response Team Program training and support on the islands of Oahu, Hawaii, Kauai, and Maui; and
- (10) Making technical, nonsubstantive amendments for clarity and style.

The Hawaii Independent Insurance Agents Association, Legislative Information Services of Hawaii, First Hawaiian Bank, Hawaii Association of REALTORS, State Farm Insurance Companies, Hawaii Medical Service Association, American Council of Engineering Companies of Hawaii, Hawaii Financial Services Association, and a concerned individual testified in support of this bill. A concerned individual supported the intent of this measure. The Hawaii Insurers Council supported this bill with amendments. The Department of Accounting and General Services, Department of Defense, and the Mayor of Hawaii County opposed this measure. Verizon Wireless and the East Hawaii VOAD submitted comments.

Your Committees find that while concerns were raised that the provisions of this bill may duplicate existing government efforts dealing with disasters, recent events such as the Kaloko Dam breach and the October 15, 2006, earthquakes and power outage have demonstrated a lack of sufficient disaster prevention efforts and coordinated communication between government agencies during emergencies. Hawaii's deficiencies in disaster preparedness are



further underscored by our isolation as a remote island state, which leaves us particularly vulnerable to disasters. This bill addresses those needs by establishing an executive director and commission tasked with developing and implementing a comprehensive disaster preparedness plan for Hawaii.

Upon further consideration, your Committees have also amended this measure by:

- (1) Inserting a preamble;
- (2) Clarifying that the provisions of this measure do not apply to disasters resulting from terrorist activities;
- (3) Including temporary shelter and temporary housing among the types of emergency functions included in the disaster preparedness contemplated by this measure;
- (4) Requiring the Director to:
 - (A) Prepare and coordinate comprehensive plans and programs for disaster preparedness; and
 - (B) Annually submit to the Governor and the Legislature proposed legislation that develops and implements a comprehensive disaster preparedness plan;and
- (5) Requiring the Commission to:
 - (A) Work with the Office of Planning to determine or develop the best geospatial data resources and tools to carry out the Commission's duties; and
 - (B) Work with the Department of Transportation to develop alternate transportation routes in the event that major roads become inaccessible.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Public Safety & Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1006, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1006, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Public Safety & Military
Affairs,

Cindy Evans

CINDY EVANS, Chair

RNH

ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 974

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.: <div style="text-align: center;">HB 1006</div>		Date: <div style="text-align: center;"> 2/12/07 SEA Wednesday, February 7, 2007 </div>		
Committee Referral: <div style="text-align: center;">CPC/PSM, FIN</div>		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 45%;"> <input type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommitment for further consideration </div> </div>				
PSM Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. LEE, Marilyn B.	✓			
4. LUKE, Sylvia	✓			
5. McKELVEY, Angus L.K.	✓			
6. NAKASONE, Bob				✓
7. NISHIMOTO, Scott Y.	✓			
8. SONSON, Alex M.	✓			
9. SOUKI, Joseph M.	✓			
10. TAKAMINE, Dwight Y.			✓	
11. TAKUMI, Roy M.	✓			
12. FINNEGAN, Lynn				✓
13. PINE, Kymberly Marcos		✓		
TOTAL	9	1	1	2
The recommendation is: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div> <div style="width: 45%;"> If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div> </div> </div>				
Vice Chair's or designee's signature: <div style="text-align: center; font-size: 1.5em; font-family: cursive;">Sharon E. Har</div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				