

SB 613

Measure Title:

RELATING TO FIREARMS

Report Title:

Firearms; Prohibition Against Seizure During Emergency

Description:

Prohibits person or government entity from seizing any firearm or ammunition under civil defense, emergency, or disaster relief powers, or during any civil defense emergency period or any time of national emergency or crisis, from any individual who is lawfully permitted to carry or possess the firearm or ammunition under part I of chapter 134 and who carries, possesses, or uses the firearm or ammunition in a lawful manner. Prohibits suspension or revocation, under emergency powers, of permits or licenses lawfully acquired and maintained under part I of chapter 134.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON SENATE BILL 613
A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE
HAWAII CIVIL AIR PATROL

PRESENTATION TO THE
COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

BY

MAJOR GENERAL ROBERT G. F. LEE
DIRECTOR OF CIVIL DEFENSE

February 3, 2009

Chair Espero and Committee Members:

I am Major General Bob Lee, Director of Civil Defense, State Department of Defense. I am providing written testimony on Senate Bill 613.

This proposed bill will provide funds to augment the annual budget of the Hawaii Civil Air Patrol (CAP). Presently, State general revenue funds appropriated for the CAP are complemented with funds from the annual federal emergency preparedness grant to State Civil Defense. We will continue to provide funding assistance to the CAP.

Hawaii Civil Air Patrol volunteer pilots and aircraft are important resources that State and county civil defense agencies may call upon during emergencies. They can provide: aerial tsunami alert warnings, air reconnaissance, aerial damage assessments, air search and rescue support, and small cargo delivery when inter-island transportation is not available.

The Department supports the intent of this measure as long as its implementation does not impact or replace the priorities set forth in the Executive Biennium Budget for Fiscal Years 2009-2010.

Thank you for the opportunity to provide written testimony on Senate Bill 613.

**HEADQUARTERS
CIVIL AIR PATROL, HAWAII WING
United States Air Force Auxiliary
415 Lele Street, Honolulu, Hawaii 96820
Phone: (808)836-3417 Fax: (808) 834-6595**

**TESTIMONY TO THE
Senate Public Safety and Military Affairs Committee**

**APPROPRIATION TO THE
HAWAII WING CIVIL AIR PATROL
SB613**

Tuesday, 03 February 2009

1:15 P.M.

Conference Room 229

BY

**Stanley Y. Fernandez, Colonel, CAP
Legislative/Government Affairs**

To Chairman Espero and Members of the Senate Committee

I wish to testify in support of Senate Bill 613, Appropriations to the Civil Air Patrol (CAP). The Hawaii Wing CAP is an integral partner and "first responders" that supports the State of Hawaii in providing "airborne tsunami" warning patrols for all of the major Hawaiian Islands. CAP is presently tasked by the Hawaii State Civil Defense to fly airborne warning flights to tsunami inundated areas wherever deemed necessary to warn residents, tourists, surfers, and swimmers of an impending "tsunami." CAP is manned by an all "volunteer force." All operational aircrews, operational personnel, communicators are manned by non-paid members of the Hawaii Wing CAP. The Hawaii Wing CAP benefits the citizens of Hawaii in the following ways:

- 1. Provides airborne tsunami warning aircraft patrols (nine airplanes) for the state of Hawaii. The Air Force provides the State with the airplanes, but the Air Force does not provide monies for CAP to fly tsunami and state civil defense missions. CAP is dependent on the state for gas, oil,**

- minor maintenance of our fleet and for the much needed tsunami training of our aircrews.
2. CAP provides search and rescue assistance to the US Coast Guard in locating downed aircraft and personnel. CAP is frequently called upon by the Coast Guard to locate "activated" emergency locator beacons which are usually set off by aircraft and or ships during emergency. This service is provided for all islands.
 3. Assisting the Hawaii Army National Guard in providing escort flights for their helicopters flying interisland.
 4. CAP was instrumental during Hurricane Iniki" in providing the "only" operational radio communications between Oahu (Hawaii State Civil Defense) and Kauai Civil Defense following the hurricane which significantly assisted in the recovery and rebuilding efforts for the citizens of Kauai and Northern Oahu.
 5. CAP was credited in saving over 400 lives on the island of Kauai In 1951 when CAP aircraft provided airborne warning to the residents of an impending tsunami.
 6. Presently, CAP is working in close partnership with the Hawaii State Civil Defense in areas of natural disaster warning, recovery operations, and in the area of Weapons of Mass Destruction/Homeland Security.
 7. Without state funding, the CAP cannot provide these necessary services for the state. In other words, CAP aircrews are like "Fireman with trucks but without the necessary gasoline and oil to operate.

The Civil Air Patrol in Hawaii also conducts a youth training program similar to the Junior ROTC. In fact, the Air Force Junior ROTC academic program was borrowed from the National Civil Air Patrol program. Here our cadets are instructed in aerospace studies, physiology of flight, meteorology, have the ability to get hands on training in light airplanes and in our glider program. Many of our cadets have gone to the Air Force Academy, received scholarships in the ROTC programs in the nation. Presently, we have 30 percent of the Air Force Academy students were former CAP cadets. Major General Darryl Wong, local born, attended Maryknoll High School is a former CAP cadet. So was former Adjutant General for Hawaii Major General Ed Richardson was a former cadet from Maui. Former CAP cadets have excelled in the active duty military forces as senior ranking officers and senior noncommissioned officers. Chief Master Sergeant of the Air Force was a former CAP cadet. I too, am a former CAP cadet from the former Kaimuki Composite Squadron, who served under the first Wing Commander, Colonel Ben Dillingham. Many of my former cadets are officers in the Hawaii Air Guard and in the various branches of the military services.

The Hawaii Wing Civil Air Patrol has been an important part of Hawaii since 1946, starting with the leadership of former State Territorial Representative Benjamin Dillingham, our first Wing Commander. With continued state funding and support, Civil Air Patrol will continue this protective service to serve our state and our citizens in Hawaii. I urge the committee to pass SB613.

Thank you for this opportunity to submit this testimonial.


STANLEY Y. FERNANDEZ, Colonel, GAP
Legislative/Governmental Affairs
Phone: (808) 456-5578
(808) 256-5988(cell)

February 2, 2009

Via FAX: 586-6361

To: Testimony to the Committee on Of Public Safety and Military Affairs

Chairman: Senator Will Espero

Subject: Support for SB613, (an appropriation for the Hawaii Wing Civil Air Patrol)

February 3, 2009, conference room 229

Dear Chairman Espero and committee members

I wholeheartedly support SB613, which appropriates monies to Hawaii Wing Civil Air Patrol (CAP) to perform various civil defense missions for the State of Hawaii.

Civil Air Patrol's members have continued to play a pivotal role in the areas of Tsunami warning, damage assessment, homeland security and search and rescue. An additional program is a cadet program for Hawaii's youths.

Previous State funds allocated to Hawaii Wing, resulted in an increase in mission capability and training. Proof of this training and crew currency is on record. CAP provided rapid response and flown mission requested by the Counties and State during incidents occurring over the past years. CAP is ready to continue to do so.

In return for funding, Hawaii Wing Civil Air Patrol provides, for pennies on the dollar, vital services to the citizens of the State of Hawaii, 24 hours a day, 365 days a year. Funds will be spent in accordance with the Memorandum of Agreement agreed upon by the State Civil Defense and Civil Air Patrol.

I strongly urge you to support this bill and thank you for your consideration.

Sincerely,



Anthony R. Schena, LtCol, CAP

Emergency Services Training Officer

Hawaii Wing Civil Air Patrol



HEADQUARTERS
66TH COMPOSITE SQUADRON
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10 Hickam Ct. Bldg. 2094
Hickam AFB, HI 96853
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3 February 2009

Senate Testimony

TESTIMONY BEFORE: Committee on Public Safety and Military Affairs

FROM: Clinton Ng, Hawaii Civil Air Patrol

SUBJECT: Strongly Supports SB 613: Making an Appropriation for the Hawaii Civil Air Patrol

Good afternoon Chair Espero, Vice Chair Bunda, and members of the Committee on Public Safety and Military Affairs. My name is Clinton Ng, Major, Civil Air Patrol. I strongly supports Senate Bill 613, which seeks to make appropriations for expenses of the Hawaii Wing, Civil Air Patrol.

The appropriation from the state to the Wing will benefit not only my Squadron but all CAP units statewide in our efforts to provide training in search and rescue activities, perform Tsunami warning to citizens of Hawaii, offer aerospace educations to the cadets, and demonstrate the meaning of community service. Many of our cadets become military members, however, many do not, nevertheless, the lessons learned through participation in CAP activities are used to succeed in their future endeavors. We understand that during this economic downturn that funds are scarce, however, teaching good citizenship and volunteerism to future leaders and providing tsunami warning services to the community is a good investment.

Thank you for this opportunity to support SB 613.

A handwritten signature in black ink, appearing to read "Clinton Ng".

Clinton Ng, Major, CAP



**CIVIL AIR PATROL, HAWAII WING
WEST O'AHU COMPOSITE SQUADRON**

United States Air Force Auxiliary
P.O. Box 75607, Kalaheo, Hawaii 96707
(808) 234-8016

2 February 2009

Reference: TESTIMONY to the Public Safety and Military Affairs Committee
Concerning: SB 613 --- Making an Appropriation for Hawaii Wing Civil Air Patrol
Hearing: Tuesday, 3 February 2009 at 1:15 p.m., Conference Room #229

Submitted by: the Undersigned

In Support of SB 613, Making an Appropriation for Civil Air Patrol (CAP). The Hawaii Wing Civil Air Patrol is an integral Non-Profit Agency and partner to the State's "First Response" team, providing "Airborne Tsunami Warning Patrols for the State of Hawaii. This includes "All Major Islands of Hawaii. At the first call from the Tsunami Warning Center of the State Civil Defense Operations, Civil Air Patrol is called upon to dispatch aircraft and bring up CAP Emergency Radio Communications to provide WARNING; to Residents, Surfers, Tourists and Swimmers who are located in Tsunami inundated areas of impending danger. CAP is on record for saving hundreds of lives for their Volunteer actions. Hawaii Wing CAP members are comprised of an "All Volunteer" group of citizens. Aircrews, Pilots, Observers, Scanners, Radio Communicators and Administrative Personnel are activated to assist residents in the State of Hawaii.

Hawaii Wing CAP, works hand in hand with the State Civil Defense during all phases of State Emergency needs, including hurricanes, natural disasters, tsunamis and search & rescue. CAP requires its' volunteers to train with Hawaii Civil Defense and various County Civil Defense operations. Training requires funding, i.e.; Fuel and Maintenance for our Aircraft and Communications assets, not to mention the support and mentoring program, provided for Civil Air Patrol Cadets (Youth, ages 12 to 18 years).

Bottom line, Hawaii Wing CAP has been an integral part of Hawaii since 1946, providing Volunteer support to the state Civil Defense and most recently, Homeland Security, exceeding the support provided by most other organizations. With continued State funding and support, Hawaii Wing Civil Air Patrol will continue to serve our State and citizens of Hawaii. I strongly urge the Public Safety and Military Affairs Committee to approve Senate Bill 613.

Thank you for this opportunity to submit my testimony.

RICH HARGRAVE
Capt, Civil Air Patrol
West O'ahu Composite Squadron
Squadron Commander

Marlene Uesugi

From: Cooper, Barbara B. [barbara.cooper@helcohi.com]
Sent: Monday, February 02, 2009 2:33 PM
To: PSM Testimony
Cc: STANLEY FERNANDEZ; surveyor1@CLSHawaii.com; CAP - Jeff Hartz
Subject: Support of SB 613

SB 613 – MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL

Date: Tuesday, February 3, 2009
Time: 1:15pm

Aloha Committee members,

I hope you will support **SB613** to enable the citizens of Hawaii to continue to receive aerial warnings of tsunamis, help with search and rescue operations, transportation of emergency supplies, help with disaster recovery operations and community service - all provided by **VOLUNTEER** adult and teenage members of the Hawaii Civil Air Patrol. The funding we are asking for is to keep our planes operational and available for the above mentioned services, and to provide training for our personnel. All other costs for squadron operations and cadet programs are acquired through community fundraisers and donations. We understand that many organizations are seeking help during this economic downturn, and hope that you will determine that what the CAP can provide for the people of Hawaii is worth investing in.

Sincerely,
Barbara B. Cooper, 1Lt., CAP
Lyman Field Composite Squadron
Hilo, Hawaii

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aquino3-Linda

From: Dwight Martin [dwightmartin@hawaii.rr.com]
Sent: Monday, February 02, 2009 9:31 AM
To: PBStestimony
Subject: testimony in support of SB613

Testimony in support of SB613, Making Appropriations to Hawaii Civil Air Patrol

To: Senate Committee on Public Safety and Military Affairs
Hearing Date: Tuesday, 3 February 09, 1:15PM, Conference Room 229

Ladies and Gentlemen:

I believe that community members have a responsibility to give back to the community in which they live. I choose to do my community service as a volunteer in the Hawaii Wing Civil Air Patrol.

My adult life brings thirty-plus years experience as a program director, a company manager, a financial officer and a pilot, and these are interests and skills that I provide as a volunteer to CAP in furtherance of its life critical missions to the people of Hawaii. Whether tsunami warning, tsunami damage assessment, homeland security, or search and rescue missions, I have the honor of serving on a team that can fulfill missions contributing to the saving of life and reduction of human suffering.

In my 23-years of Hawaii Wing Civil Air Patrol membership I have personally participated in numerous actual tsunami response missions as an aircrew member. I have observed first hand the effectiveness and impact of CAP's airborne tsunami warning system as we have alerted shoreline users and coastal watercraft about tsunami arrival preparations urgently underway. As evidenced by their immediate and appropriate retreat, this is a warning message that they clearly had not otherwise received. Human exposure to this life-threatening risk was reduced by our presence.

I have also personally participated in search missions conducted by Hawaii Wing Civil Air Patrol where our search objective has been missing community members from boating incidents, aircraft incidents, missing fishermen and missing water sports participants. Critical missions such as these cannot be conducted without your financial support.

CAP's airborne tsunami alert and response system and its search and rescue system, under the safe and efficient direction of its ground-based mission coordination teams, definitely contribute a unique and very necessary life-saving service to Hawaii and its people.

I strongly urge the Senate Committee on Public Safety and Military Affairs to pass S.B. 613, which appropriates monies to Hawaii Wing Civil Air Patrol in support of these vital community service missions for the State of Hawaii.

Thank you.

/s/ Dwight T. Martin

CONTACT INFO: dwightmartin@hawaii.rr.com or 545-3433

Zip Code: 96822