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STATE OF HAWAII
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DEPARTMENT OF DEFENSE
KA 'OIHANA PILI KAUA
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
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STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON SENATE BILL 1332
RELATING TO EMERGENCY MANAGEMENT

BEFORE THE SENATE COMMITTEE ON **PUBLIC SAFETY AND INTERGOVERNMENTAL
AND MILITARY AFFAIRS**

BY

MAJOR GENERAL KENNETH S. HARA
ADJUTANT GENERAL
DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY
AND HOMELAND SECURITY ADVISOR

FEBRUARY 3, 2023

Aloha Chair Wakai, Vice-Chair Elefante, and members of the committee:

I am MG Kenneth S. Hara, Adjutant General, Director of Emergency Management and Homeland Security Advisor, State of Hawaii, Department of Defense.

The Department of Defense provides written testimony in **SUPPORT** of SB1332

This bill, amending chapter 127A, Hawaii Revised Statutes (HRS), more clearly defines and delineates aspects of the authority governing emergency management in the State; clarifies emergency roles and responsibilities; and delineates allowable uses of the Major Disaster Fund more clearly.

The proposed changes would clarify the scope of the state's Comprehensive Emergency Management Plan, which addresses not only how Hawaii responds to emergencies and disasters, but also how it prepares for, mitigates against, and recovers from them.

In addition, the bill would modify the duration of price gouging controls during an emergency; define a "severe warning;" and clarify that entities other than the National Weather Service issue warnings that may require activation of the emergency management system.

These modifications will better enable the Hawaii Department of Defense and the Hawaii Emergency Management Agency to fulfill their mission of protecting the state's people.

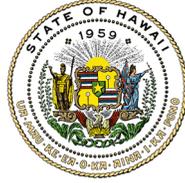
We support this bill and respectfully request that the committee support it.

Thank you for the opportunity to provide testimony.

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BEFORE THE SENATE COMMITTEE ON **PUBLIC SAFETY AND INTERGOVERNMENTAL
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JAMES DS. BARROS
ADMINISTRATOR
HAWAI'I EMERGENCY MANAGEMENT AGENCY

FEBRUARY 3, 2023

Aloha Chair Wakai, Vice-Chair Elefante, and members of the committee:

I am James Barros, Administrator of the Hawai'i Emergency Management Agency (HI-EMA).

HI-EMA provides written testimony in **SUPPORT** of SB1332

This bill amends chapter 127A, Hawaii Revised Statutes (HRS), to more clearly define and delineate aspects of the authority governing emergency management in the State; to align with federal and state processes in that field; and to clarify emergency roles and responsibilities.

The proposed changes would clarify the scope of the state's Comprehensive Emergency Management Plan, which addresses not only how Hawaii responds to emergencies and disasters, but also how it prepares for, mitigates against, and recovers from them.

The bill also would more clearly delineate allowable uses of the Major Disaster Fund, and increase the amount of additional funding that may be made available to match federal disaster relief funds, from \$5 million to \$10 million. These proposals reflect the effects of inflation over time and the larger scale and cost of emergencies in recent years, and more effectively align the state with federal disaster funding policies and practices.

In addition, the bill would modify the duration of price gouging controls during an emergency; define a “severe warning;” and clarifies that entities other than the National Weather Service issue warnings that may require activation of the emergency management system.

Recent emergencies, including the COVID-19 pandemic, have highlighted the importance of clear legal frameworks for State and county emergency management to ensure that the State and counties are ready for any types of emergencies, and to align the State with federal processes. This bill would improve and further clarify those frameworks.

We support this bill and respectfully request that the committee support it.

Thank you for the opportunity to provide testimony.

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



**TESTIMONY OF TINA YAMAKI, PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 6, 2023**

Re: SB 1332 RELATING TO EMERGENCY MANAGEMENT

Good afternoon, Chair Wakai and members of the Senate Committee on Public Safety & Intergovernmental and Military Affairs. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii was founded in 1901 and is a statewide, not for profit trade organization committed to supporting the growth and development of the retail industry in Hawaii. Our membership includes small mom & pop stores, large box stores, resellers, luxury retail, department stores, shopping malls, on-line sellers, local, national, and international retailers, chains, and everyone in between.

We support SB 1332 Relating to Emergency Management. This measure clarifies the scope of the Comprehensive Emergency Management Plan; delineates allowable uses of Major Disaster Fund monies; increases the amount of the additional funds that may be made available for the purpose of matching federal disaster relief fund from \$5,000,000 to \$10,000,000; shortens the duration of price control periods from 96 hours to 72 hours; defines "Severe Warning"; and clarifies that entities other than the National Weather Service issue warnings that may require the activation of the emergency management system.

As the law currently reads, when an emergency proclamation is issued HRS 127A-30 is automatically invoked that requires pricing of all commodities to be frozen as of the date of the proclamation. If the proclamation continues to be extended over and over for a period of time, as we seen during the recent COVID pandemic, this automatic price freeze trigger can lead to nonsensical results, particularly where the governor or mayor does not specify the commodities that are subject to the price freeze.

We are aware that the emergencies and disasters vary and there may be a need to freeze prices for certain items. However, retailers are uncertain as to how this provision applies and to which commodities. We are especially in support of the proposed language in section 3 to require the governor and the mayor to specify the type of goods and products that would be subject to a price freeze 72 hours after the initial emergency proclamation. This will provide certainty to businesses of their obligations under emergency declarations.

We would like to point out the majority of the retailers during any time of impending or during an emergency or disaster do NOT price gouge their customers for items that include but are not limited to bottled water, toilet paper, cleaning supplies or batteries. Retailers are falsely accused of price gouging when customers pick up cases of larger or higher end products that cost more than the smaller sized or generic ones.

Mahalo again for this opportunity to testify.