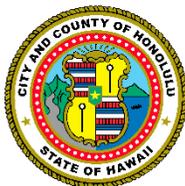


**DEPARTMENT OF EMERGENCY MANAGEMENT**  
**KA 'OIHANA HO'OKELE ULIA PŌPILIKIA**  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, BASEMENT • HONOLULU, HAWAII 96813  
PHONE: (808) 723-8960 • FAX: (808) 524-3439 • WEBSITE: honolulu.gov

RICK BLANGIARDI  
MAYOR  
MEIA



RANDAL COLLINS  
DIRECTOR  
PO'O

JENNIFER WALTER  
DEPUTY DIRECTOR  
HOPE PO'O

February 25, 2026

The Honorable Chris Todd, Chair  
The Honorable Jenna Takenouchi, Vice-Chair  
and Members of the Committee on Finance  
The House of Representatives  
State Capitol  
415 South Beretania Street, Room 308  
Honolulu, Hawai'i 96813

Dear Chair Todd, Vice-Chair Takenouchi, and members of the Committee on Finance:

SUBJECT: Honolulu Department of Emergency Management Opposing Comments for  
House Bill 2581 HD2: Relating to Emergency Management

I am Dr. Randal Collins, director of the Department of Emergency Management (DEM), City and County of Honolulu. DEM respectfully **opposes** House Bill 2581 HD2. HB 2581 HD2 seeks to clarify the types of events that constitute disasters and emergencies for the purposes of emergency management. This bill narrows emergency management authority by raising the legal threshold for emergency powers to events of "unprecedented size and destructiveness," and by restructuring the definitions of "disaster" and "emergency" around "catastrophic harm."

This narrowing of emergency management authority is problematic because response to a disaster on O'ahu has a better chance of success when action is taken as early as possible. Early action saves lives, lowers costs, and reduces time complications.

The purpose of emergency authorities is to expedite the response to events that require swift action to reduce harm to the population and minimize damage to our communities. The exercise of emergency authorities allows temporarily altering processes designed for day-to-day operations during actual or threatening emergencies, thereby allowing government agencies to act more quickly and decisively than what normal business processes allow. As written, the bill forces delayed action during slow-onset threats by preventing the early exercise of emergency authorities that could help reduce or avoid more serious impacts. Wildfire conditions can build over days, then shift in minutes with the wind. Disease outbreaks build over weeks, and hospitals reach surge capacity. A drought can build over months, then water, power, and other service demands become overwhelming. An agricultural infestation starts with minimal invasive species, but over time, it can turn into a significant incident with cascading effects. A higher legal threshold pressures leaders to wait until visible catastrophic harm occurs. Waiting increases risk and strains social systems until it is too late.

The Honorable Chris Todd, Chair  
The Honorable Jenna Takenouchi, Vice-Chair  
and Members of the Committee on Finance  
February 25, 2026  
Page 2

Additionally, the bill increases legal uncertainty at the worst time. Emergency decisions occur with incomplete information. A narrower legal test invites litigation during response. Hesitation increases exposure for residents and responders.

Further, the bill also degrades emergency procurement speed. Should we wait for catastrophic impacts, we are already behind on procuring emergency services and pre-positioning materials and supplies including, but not limited to, generators, preparatory debris work, temporary facilities, shelter supplies, security, and technical services. Further, a narrowed activation threshold delays early procurement actions. Delays drive shortages, longer outages, and longer shelter operations.

Importantly, these constraints are particularly acute due to O'ahu's risk profile. O'ahu holds ports, airports, hospitals, fuel distribution, power grid nodes, and statewide logistics links. Small disruptions can cascade fast. A statute built around "unprecedented size" does not adequately account for our island's infrastructure interdependencies and system fragility which can lead to cascading failures.

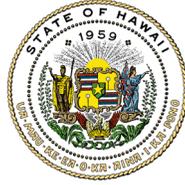
Given the information above, DEM respectfully **opposes** HB 2581 HD2 as written. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Randal A. Collins".

Dr. Randal A. Collins, CEM  
Director

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 PŪULIA

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  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON HOUSE BILL 2581 HD2,  
RELATING TO EMERGENCY MANAGEMENT

BEFORE THE HOUSE COMMITTEE ON  
FINANCE

BY

JAMES DS. BARROS  
ADMINISTRATOR  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

February 27, 2026

Aloha Chair Todd, Vice-Chair Takenouchi, and Members of the Committee:

The Hawai'i Emergency Management Agency (HIEMA) respectfully submits this testimony in **OPPOSITION** to HB2581 HD2.

While HIEMA understands and shares concerns regarding the importance of constitutional checks and balances, we are concerned that this bill unduly narrows and constrains the executive authorities granted under Chapter 127A, Hawai'i Revised Statutes. The bill's revisions to the definitions of "disaster" and "emergency" restrict the governor's emergency powers strictly to situations involving sudden occurrences of catastrophic harm, excluding many disasters or emergencies that evolve over time but still pose significant threats to life, property, and public health.

Effective emergency management requires flexibility to respond rapidly and decisively to a wide range of events, including those that are not sudden but nonetheless require immediate action to protect communities. The proposed limitations risk delaying responses or hindering the ability of the governor, mayors, and emergency management officials to manage evolving threats and complex emergencies.

Furthermore, the bill's restrictive approach could complicate coordination with federal and private agencies that operate under broader emergency definitions, potentially impacting resource mobilization and overall disaster response effectiveness.

HIEMA acknowledges the legislature's role in setting public policy and supports appropriate oversight; however, emergency response operations demand adaptability and timely decision-making under uncertain conditions. We urge reconsideration of the bill's limitations to maintain sufficient executive flexibility and preserve the ability to protect Hawai'i's people, property, and environment effectively.

Thank you for the opportunity to submit testimony in opposition to HB2581 HD2. We remain committed to collaborating with the legislature to balance constitutional concerns with the practical realities of emergency management.

James Barros: [james.barros@hawaii.gov](mailto:james.barros@hawaii.gov); 808-733-4300



Committee: House Committee on Finance  
Hearing Date/Time: Friday, February 27, 2026 at 10:00am  
Place: Conference Room 308 & Via Videoconference  
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of HB2581 HD2 Relating to Emergency Management**

Dear Chair Todd, Vice Chair Takenouchi, and Members of the Committee:

The ACLU of Hawai'i **supports HB2581 HD2**, which clarifies definitions for “disaster” and “emergency” in Hawai'i’s emergency management statute, HRS Chapter 127A.

Chapter 127A was enacted to address hurricanes, wildfires, floods, and other sudden disasters—not longstanding public policy challenges. But in *Nakoa v. Governor of State*, the Hawai'i Supreme Court rejected a “narrow reading” of the statute and construed “emergency” to encompass “[l]ongstanding issues that escalate or reach crisis-levels” (including, in that case, the ongoing “affordable housing crisis”).<sup>1</sup>

That interpretation is deeply problematic because it disturbs the constitutional balance between the Legislature and the Executive. Emergency powers are extraordinary powers. They allow the Governor to suspend statutes and bypass ordinary lawmaking processes. When those powers are stretched to cover policy challenges that have lasted for decades, that risks normalizing executive “lawmaking” over legislative lawmaking.

As one U.S. Supreme Court Justice recently observed in a separation-of-powers case,<sup>2</sup> “most major decisions affecting the rights and responsibilities of the American people...are funneled through the legislative process for a reason.” And while “legislating can be hard and take time”—and it may be “tempting to bypass” the Legislature when “some pressing problem arises”—it is “the deliberative nature of the legislative process” that allows the public to “tap the combined wisdom of the people’s elected representatives, not just that of one faction or man.”

This measure restores that balance so that the Legislature legislates and the Executive executes. It clarifies that a “disaster” or “emergency” must involve a sudden event causing catastrophic harm—and not an open-ended public policy issue, no matter how pressing or longstanding.

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<sup>1</sup> 156 Haw. 416, 427, 575 P.3d 506, 517 (2025).

<sup>2</sup> *Learning Resources, Inc. v. Trump*, 24-1287, slip op. at 46 (Gorsuch, J., concurring) (Feb. 20, 2026), [https://www.supremecourt.gov/opinions/25pdf/24-1287\\_4gcj.pdf](https://www.supremecourt.gov/opinions/25pdf/24-1287_4gcj.pdf).

To be clear, Hawai‘i’s affordable housing shortage is real and urgent. But so are many other serious challenges we face: overcrowded jails, houselessness, the high cost of living, and climate change. Many public policy issues may (and do) reach “crisis” levels. But our constitutional system does not allow the Executive Branch to decide, on its own, that a long-standing public problem should be addressed by suspending statutes and bypassing the democratic process simply by labeling it an “emergency.”

The ACLU of Hawai‘i has been directly engaged on this issue. We were a plaintiff organization in *Nā ‘Ohana o Lele Housing Committee v. Green*, a lawsuit challenging an earlier emergency proclamation “Related to Housing.”<sup>3</sup> We also joined an amicus brief in *Nakoa* urging a narrower reading of Chapter 127A. We believe clear guardrails are needed to preserve the separation of powers and our democratic system.

HB2581 HD2 strikes the right balance between empowering the Governor to act swiftly and flexibly in the face of true disasters and emergencies, while reaffirming that policymaking authority rightfully rests with the Legislature.

For these reasons, the ACLU of Hawai‘i respectfully asks that you pass HB2581 HD2.

Sincerely,



Jongwook “Wookie” Kim

Legal Director

ACLU of Hawai‘i

[wkim@acluhawaii.org](mailto:wkim@acluhawaii.org)

*With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai‘i is to protect the fundamental freedoms enshrined in the United States and Hawai‘i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai‘i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai‘i has been serving our communities in Hawai‘i for over 60 years.*

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<sup>3</sup> The August 2023 suit was filed as case #1CCV-23-0001140. <https://earthjustice.org/press/2023/broad-coalition-challenges-governor-greens-controversial-emergency-proclamation-on-housing>.

**HB-2581-HD-2**

Submitted on: 2/25/2026 9:47:14 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
laurel brier	Kauai Climate Action Coalition	Support	Written Testimony Only

Comments:

PASS HB2581 to keep checks and balances and prevent misuse of executive power. Environmental protection, public transparency, borad representation should not be sidelined for one man's "emergency". We see how this is currently leading to tyranny on the federal level. Prevent possible misuse of the executive emergency power.



## HOUSE COMMITTEE ON FINANCE

February 27, 2026

10:00 AM

Conference Room 308

### In **SUPPORT** of **HB2581 HD2**: RELATING TO EMERGENCY MANAGEMENT

---

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS** HB2581 HD2, which will protect the public interest and our very system of constitutional democracy from the potential misuse of state and county executive branch leaders' emergency powers.

As we have seen in recent years, the lack of clear statutory guardrails for 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 - as "emergencies," and thereby exercise their power to repeal or rewrite legislation for an indefinite length of time.** Without the transparency and public accountability of the normal, 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 ensuring that the use of executive emergency authorities of "disaster" and "emergency" are limited to actual, bona fide disasters and emergencies that require and that can actually be addressed by expedient responses.**

**Notably, the Hawai'i Emergency Management Agency (HIEMA) speculation about "climate hazards," "evolving disease outbreaks," "prolonged droughts," or "infrastructure failures" holds no merit.** This measure specifically includes a wide range of unpredictable "climate hazards" as well as "disease or contagion outbreaks" in the definition of "disaster," and emergency responses to "infrastructure failures" due to extreme weather events, mudslides, fires, or any other conceivable cause other than deferred



maintenance would likewise be covered within its provisions. There is also no arbitrary time limit to emergency responses that could address these situations, only a requirement that timely emergency action is in fact able to minimize the impacts of any declared emergency. **Otherwise, HIEMA provides no justification as to why the legislature should be relieved of its policymaking and budget-setting prerogatives to address “prolonged droughts” or the aforementioned situations, to the extent that longer term and nuanced solutions may be necessary.**

Accordingly, the Sierra Club respectfully urges the Committee to **PASS** HB2581 HD2.

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



REPRESENTATIVE CHRIS TODD, CHAIR  
REPRESENTATIVE JENNA TAKENOCHI, VICE CHAIR  
HOUSE COMMITTEE ON FINANCE

TESTIMONY IN SUPPORT OF HOUSE BILL 2581 HD2  
RELATING TO EMERGENCY MANAGEMENT

Friday, February 27, 2026, 10:00 a.m.  
Conference Room 308, State Capitol  
415 South Beretania Street

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

Earthjustice **supports** House Bill 2581 HD2, which seeks to place guardrails on the governor’s and mayors’ use of emergency powers under HRS Chapter 127A by amending the definitions of “disaster” and “emergency” under that statute. These amendments are necessary to reestablish the proper constitutional balance of powers between the legislature and the executive branch with respect to the enactment of laws to address important issues of public policy.

A recent decision of the Hawai‘i Supreme Court, *Nakoa v. Governor of State*, 156 Hawai‘i 416, 575 P.3d 506 (2025), threatens to upset this vital balance. There, the Court interpreted HRS Chapter 127A to grant the governor extraordinary emergency powers – including the power to suspend laws enacted by the legislature – to address any situation “rationally related to the health, safety, and welfare of the public.” *Id.* at 424, 575 P.3d at 514. This interpretation allows for the governor to issue emergency proclamations that address “not only discrete events,” but also “long-term issues” of public policy. *Id.* at 435, 575 P.3d at 525. This broad grant of authority to the executive branch undermines the balance of power enshrined in the Hawai‘i Constitution, which vests the “legislative power of the State” in the legislature. Haw. Const. art. III, § 1.

To preserve the constitutional balance of powers and to avoid executive overreach, it must remain the exclusive providence of the legislature to address longstanding public policy challenges. Thus, in the wake of the Supreme Court’s ruling, it is vital for the legislature to amend the statutory definitions of “disaster” and “emergency” within HRS Chapter 127A such that the emergency powers granted to the governor are restricted solely to situations that involve responding to the sudden “occurrence of disasters or emergencies of unprecedented size and destructiveness” as originally intended. HRS § 127A-1(a).

Mahalo for the opportunity to testify on this matter.

Dru N. Hara, Esq.  
Project Attorney  
Earthjustice, Mid-Pacific Office

Feb 27, 2026, 10 a.m.  
Hawaii State Capitol  
Conference Room 308 and Videoconference

**To: House Committee on Finance**  
**Rep. Chris Todd, Chair**  
**Rep. Jenna Takenouchi, Vice Chair**

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

TESTIMONY IN SUPPORT OF HB2581 HD2 — RELATING TO EMERGENCY MANAGEMENT

Aloha chair, vice chair and other committee members,

The Grassroot Institute of Hawaii **supports** [HB2581 HD2](#), which would clarify the definitions of “emergency” and “disaster” in Hawaii’s emergency management statute.

Specifying what constitutes an “emergency” or “disaster” under chapter 127A would go a long way toward addressing 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](#),” the governor of Hawaii has extremely broad powers to define what constitutes an emergency.<sup>1</sup>

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 seem to have been declared “emergencies” to take advantage of the broad powers granted to the executive branch under the emergency management statute. Moreover, the lack of clarity in the statute has resulted in a Hawaii Supreme Court opinion that largely upheld the use of executive power for this expansive definition of emergencies.<sup>2</sup>

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<sup>1</sup> 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.

<sup>2</sup> [Nakoa v. Governor of the State of Hawaii](#), 575 P.3d 506 (2025).

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 denies the public a voice on important issues, forcing the people to rely on the courts for redress — which is 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 justification 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 proclamations means that an abuse of executive power could be extended indefinitely.

Creating a clear definition of what constitutes an “emergency” or “disaster” under the law would limit the potential for executive overreach via emergency orders.

The list of emergency events in HB2581, combined with the bill’s 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 highlighted 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, this bill 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-2581-HD-2**

Submitted on: 2/25/2026 6:13:12 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John & Rita Shockley	Free Access Coalition	Support	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition supports HB2581. Government needs to be balanced without the Executive Branch declaring random "emergencies" to dispense with legal restraints.

We've seen what happens on the Federal Level and need to prevent that kind of over-reach by one branch of the government.

Mahalo for your time.

**HB-2581-HD-2**

Submitted on: 2/25/2026 6:14:19 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nakoʻolani Warrington	Kupuna for the Moopuna	Support	Written Testimony Only

Comments:

**STRONG SUPPORT of HB 2581 HD2**

We, Kūpuna for the Mo‘opuna, a hui of Hawaiian Homes Commission Act kūpuna beneficiary farmers from Pana‘ewa, Hawai‘i, **testify in STRONG SUPPORT of HB 2581 HD2.**

This bill that would establish much-needed guardrails on the definition of an “emergency,” and ensure that the use of sweeping emergency powers by executive branch leaders are to actually protect our health and safety, putting “checks and balances” in place.

**Support and Pass HB 2581 HD2.** Mahalo.

**HB-2581-HD-2**

Submitted on: 2/25/2026 3:25:49 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Anne Lorenzo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Anne M. Lorenzo and I **STRONGLY SUPPORT** HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this did push the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use long-standing and complex societal challenges – such as unaffordable housing or “illegal activity” -- to declare an “emergency” and thereby indefinitely bypass the checks and balances that protect vital public interests, including in our environment, cultural integrity, and democracy itself.

This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,  
Anne M. Lorenzo

**HB-2581-HD-2**

Submitted on: 2/25/2026 3:27:25 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

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

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am writing in **strong support of HB2581**, which would establish much-needed guardrails on the definition of an "emergency" and ensure that sweeping executive powers are used only to protect our health and safety—not to bypass environmental, cultural, labor, or good governance laws indefinitely.

**Emergency powers exist for genuine emergencies.** They are intended to allow swift, temporary action when disaster strikes—a hurricane, a tsunami, a public health crisis. They are not meant to be a workaround for long-standing policy challenges, no matter how urgent those challenges may feel. HB2581 restores that original intent by defining what actually constitutes an emergency and limiting how long emergency suspensions can remain in effect.

**This bill prevents governors and mayors from arbitrarily calling complex societal problems "emergencies."** In recent years, we have seen executive orders that attempt to use emergency declarations to address issues like unaffordable housing or "illegal" activity—challenges that are real, but that are not sudden, unforeseen, or temporary. These declarations have been used to suspend environmental review, cultural protections, procurement rules, and labor standards, often with little public input and no clear end date. HB2581 draws a line: if it is not a sudden, unexpected, and temporary crisis, it is not an emergency.

**Suspending environmental and cultural review is not a housing strategy.** We can and must build more homes. But doing so by gutting the laws that protect our water, our cultural sites, and our communities is a false choice. HB2581 ensures that we address the housing crisis through deliberate policy—not by declaring an emergency and sidelining the public, and not by sacrificing the very things that make Hawai‘i home.

**Good governance requires accountability and transparency.** Emergency declarations should not be used to bypass procurement rules, weaken labor standards, or silence community voices. When they are, the public loses trust in both the process and the outcome. HB2581 ensures that when emergency powers are used, they are used transparently, temporarily, and only for their intended purpose.

This bill is not about limiting the ability to respond to real crises. It is about making sure that "emergency" means what it says—and that our laws cannot be set aside indefinitely for political convenience.

I urge you to pass HB2581. Mahalo for the opportunity to testify.

**HB-2581-HD-2**

Submitted on: 2/25/2026 6:41:48 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
irene kloepfer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Irene and I **STRONGLY SUPPORT** HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this did push the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use long-standing and complex societal challenges – such as unaffordable housing or “illegal activity” -- to declare an “emergency” and thereby indefinitely bypass the checks and balances that protect vital public interests, including in our environment, cultural integrity, and democracy itself.

This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

irene

**HB-2581-HD-2**

Submitted on: 2/25/2026 7:59:07 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

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

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is William Reese Liggett and I **STRONGLY SUPPORT** HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this did push the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use long-standing and complex societal challenges – such as unaffordable housing or “illegal activity” -- to declare an “emergency” and thereby indefinitely bypass the checks and balances that protect vital public interests, including in our environment, cultural integrity, and democracy itself.

This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,  
William Reese Liggett

**HB-2581-HD-2**

Submitted on: 2/25/2026 10:30:24 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Bo Breda and I **STRONGLY SUPPORT** HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this did push the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use long-standing and complex societal challenges – such as unaffordable housing or “illegal activity” -- to declare an “emergency” and thereby indefinitely bypass the checks and balances that protect vital public interests, including in our environment, cultural integrity, and democracy itself.

This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,  
Bo Breda

**HB-2581-HD-2**

Submitted on: 2/25/2026 10:34:55 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is [Peter Wilson and I **STRONGLY SUPPORT** HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

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Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,  
Peter Wilson

**HB-2581-HD-2**

Submitted on: 2/25/2026 11:59:29 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Guy Kudo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

I **STRONGLY SUPPORT** HB2581 HD2 and urge the Committee to **PASS** this bill.

Thank you.

**HB-2581-HD-2**

Submitted on: 2/26/2026 12:04:29 AM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patti Choy	Individual	Support	Written Testimony Only

Comments:

I **STRONGLY SUPPORT** HB2581 HD2 and urge the Committee to **PASS** this bill.

Thank you.

**HB-2581-HD-2**

Submitted on: 2/26/2026 3:14:48 AM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Christy Shaver	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Christy Shaver and I STRONGLY SUPPORT HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this did push the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use long-standing and complex societal challenges – such as unaffordable housing or “illegal activity” -- to declare an “emergency” and thereby indefinitely bypass the checks and balances that protect vital public interests, including in our environment, cultural integrity, and democracy itself.

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Accordingly, I urge the Committee to PASS HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,  
Christy Shaver

**HB-2581-HD-2**

Submitted on: 2/26/2026 6:00:17 AM

Testimony for FIN on 2/27/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Nancy Harter	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Nancy Harter and I **STRONGLY SUPPORT** HB2581 HD2

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this did push the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use long-standing and complex societal challenges – such as unaffordable housing or “illegal activity” -- to declare an “emergency” and thereby indefinitely bypass the checks and balances that protect vital public interests, including in our environment, cultural integrity, and democracy itself.

This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,  
Nancy Harter, Lahaina, HI

**HB-2581-HD-2**

Submitted on: 2/25/2026 3:14:51 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jubilee Johanna	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Jubilee Westergaard and I STRONGLY SUPPORT HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

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This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to PASS HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,

Jubilee Westergaard

**HB-2581-HD-2**

Submitted on: 2/26/2026 8:18:38 AM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dee Green	Individual	Support	Written Testimony Only

Comments:

I strongly support HB2581 HD2.

Recent use of emergency powers in Hawai‘i showed how easily long-standing laws can be suspended, including environmental protections, cultural safeguards, transparency requirements, procurement rules, and labor standards. The housing emergency proclamation moved forward without firm affordability or residency requirements, and even the Hawai‘i Supreme Court noted it was pushing the limits of executive authority.

HB2581 HD2 provides clear definitions and reasonable guardrails to prevent misuse of emergency powers while preserving the ability to respond to true disasters.

For these reasons, I respectfully ask that you pass HB2581 HD2.

**HB-2581-HD-2**

Submitted on: 2/26/2026 8:42:58 AM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Deborah Umiamaka	Individual	Support	Written Testimony Only

Comments:

February 26, 2026

Aloha Chairs, Vice Chairs, and Members of the House Finance Committee:

HB2581 HD2 refines HRS Chapter 127A with precise definitions, supplanting archaic ambiguities that invite executive overreach and fortifying the rule of law for all Hawai‘i residents.

## Foundational Reasons for Support

HB2581 HD2 lays an unassailable foundation for governance by:

- Delineating "disaster" as sudden, catastrophic events (e.g., wildfires, tsunamis) from "emergency" as imminent threats, excluding chronic issues like housing or crime, to bar perpetual law suspensions.

- Mandating legislative renewal of proclamations every 60 days per Article III, Section 5 of the Hawai‘i Constitution, restoring original checks and balances.

- Aligning with modern statutory standards (e.g., federal Stafford Act analogs), transcending outdated provisions that erode democratic accountability and aloha ‘āina principles.

These elements erect enduring pillars, preserving our cultural patrimony, environmental safeguards, and economic resilience against expedient declarations.

## Protections for Hawai‘i Citizens

HB2581 HD2 shields residents through:

- Precluding emergency bypasses of HRS Chapter 343 (environmental assessments), HRS Chapter 6E (historic preservation), HRS Chapter 103D (procurement integrity), labor protections under HRS Chapter 387, and county ordinances—prioritizing community welfare over haste.

- Confining gubernatorial and mayoral authority under HRS §127A-13 to verifiable crises, curtailing "permanent emergency" norms that erode public trust and mauka stewardship rights.

- Instituting elevated transparency and due process, supplanting archaic overreaches with contemporary accountability that empowers citizens in equitable rulemaking.

Mahalo nui for stewarding this vital reform. I respectfully urge a DO PASS recommendation.

Sincerely,

Deborah Umiamaka

Hawai'i County Resident

**HB-2581-HD-2**

Submitted on: 2/26/2026 9:20:42 AM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

This measure provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please pass HB2581 HD2.

**HB-2581-HD-2**

Submitted on: 2/26/2026 11:41:02 AM

Testimony for FIN on 2/27/2026 10:00:00 AM

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

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Andrew Isoda and I **STRONGLY SUPPORT** HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this did push the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use long-standing and complex societal challenges – such as unaffordable housing or “illegal activity” -- to declare an “emergency” and thereby indefinitely bypass the checks and balances that protect vital public interests, including in our environment, cultural integrity, and democracy itself.

This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,

Andrew Isoda  
Lahaina‘ Mau‘i



**HB-2581-HD-2**

Submitted on: 2/26/2026 12:45:00 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Keri Zacher	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee,

My name is Keri and I **STRONGLY SUPPORT** HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

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This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,  
Keri Zacher



**HB-2581-HD-2**

Submitted on: 2/26/2026 2:06:13 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
emily gambino	Individual	Support	Written Testimony Only

Comments:

My name is Emily Gambino and I **STRONGLY SUPPORT** HB2581 HD2.

As we have seen in Hawai‘i and across the continent, the survival of our democracy may hinge upon a meaningful separation of powers, one that includes keeping legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may not always have the same level of respect for this foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this did push the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use long-standing and complex societal challenges – such as unaffordable housing or “illegal activity” -- to declare an “emergency” and thereby indefinitely bypass the checks and balances that protect vital public interests, including in our environment, cultural integrity, and democracy itself.

This measure accordingly provides common sense definitions of “disaster” and “emergency” along with modest guardrails to better protect against the misuse of executive emergency authorities, whether now or in the years and decades to come. Please, do not wait for a constitutional, civil, or environmental crisis before adopting the critical guidance proposed in this measure - by then, it may be too late.

Accordingly, I urge the Committee to **PASS** HB2581 HD2. Mahalo nui for the opportunity to testify.

Sincerely,  
Emily Gambino

**HB-2581-HD-2**

Submitted on: 2/26/2026 3:13:42 PM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Katherine Fryer	Individual	Support	Written Testimony Only

Comments:

I strongly support HB2581 HD2.

The survival of our democracy depends on a meaningful separation of powers that maintains legislative and judicial “checks and balances” against executive overreach. Unfortunately, executive branch leaders may disrespect and actively challenge the foundational limitation on their authority, and may be tempted to use their emergency statutory authorities to create, amend, or suspend policies that should be developed through the democratic legislative process.

Recent circumstances have highlighted the vulnerability of Hawai‘i’s own emergency powers statutes to potential misuse by local executive leadership. This includes an emergency proclamation on housing that initially suspended numerous environmental, cultural, good governance, public transparency, procurement, and labor laws, to purportedly support housing construction without any affordability or meaningful residency requirements. While the Hawai‘i Supreme Court recognized that this pushed the limits of the Governor’s emergency authorities, the potential still exists for a future executive to attempt to use complex societal challenges – such as unaffordable housing or “illegal activity” – to declare an “emergency” and indefinitely bypass essential checks and balances.

This bill provides common sense definitions of “disaster” and “emergency” along with guardrails to better prevent misuse of executive emergency authorities. Please, do not wait for a crisis before adopting the critical guidance proposed in this measure. By then, it may be too late.

I urge the Committee to PASS HB2581 HD2. Mahalo for the opportunity to testify.

**HB-2581-HD-2**

Submitted on: 2/27/2026 10:45:50 AM

Testimony for FIN on 2/27/2026 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Thomas Brandt	Individual	Support	Written Testimony Only

Comments:

Support.