

JAN 21 2011

A BILL FOR AN ACT

RELATING TO DISASTER PREPAREDNESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 DISASTER PREPAREDNESS

6 § -1 **Definitions.** As used in this chapter:

7 "Commission" means the disaster preparedness commission.

8 "Director" means the director of the office of disaster
9 preparedness.

10 "Disaster" means any natural or human-caused catastrophe,
11 the occurrence of which is unanticipated or difficult to
12 predict, that results in significant property damage,
13 agricultural loss, hardship, suffering, psychological or
14 physical injury, or loss of life within the state.

15 "Natural hazard" means hurricane, storm, flood, tsunami,
16 tidal wave, wind-driven water, earthquake, volcanic activity,
17 volcanic smog or vog, lava flow, rockslide, earthslide, fire, or
18 other naturally occurring emergency.



1 "Vog" means the substance created when sulfur dioxide and
2 other volcanic gases combine and interact chemically in the
3 atmosphere with oxygen, moisture, dust, and sunlight over a
4 period of time to form a visible haze.

5 **§ -2 Office of disaster preparedness established.**

6 There is established in the department of _____ the office
7 of disaster preparedness. The director of the office of
8 disaster preparedness shall be nominated and with the advice and
9 consent of the senate, appointed by the governor. The director
10 shall serve for a period of six years and thereafter until a
11 successor is appointed. The salary of the director shall be set
12 at a rate no greater than \$ _____ a year, and shall not be
13 diminished during the director's term of office unless by
14 general law applying to all salaried officers of the State. If
15 the director dies, resigns, becomes ineligible to serve, or is
16 removed or suspended from office, the first assistant to the
17 director shall become the acting director until a new director
18 is appointed for a full term.

19 **§ -3 Duties of the director.** (a) The director shall
20 develop a comprehensive disaster preparedness plan for the
21 State. The disaster preparedness plan shall include:

22 (1) The identification of natural hazards;



- 1 (2) The designation of natural hazard impact zones;
- 2 (3) Priorities for natural hazard mitigation;
- 3 (4) Policies, requirements, and incentives to mitigate the
- 4 consequences of natural hazards, to be incorporated
- 5 into rules such as county building codes, land use
- 6 policies, and retrofitting incentives such as tax
- 7 credits; and
- 8 (5) Response plans to disasters that will best minimize
- 9 costs and protect residents and visitors to the state,
- 10 their interests, possessions, and pets, including
- 11 plans to ensure the reliability of communication
- 12 networks and power supplies for major state airports,
- 13 health care facilities, disaster shelters, and other
- 14 essential services.

15 (b) The director shall report annually to the governor and

16 the legislature no later than twenty days prior to the convening

17 of each regular session on the status of the disaster

18 preparedness plan and shall include any necessary proposed

19 legislation.

20 **§ -4 Disaster preparedness commission established;**

21 **selection of advisory committees.** (a) There is established a

22 disaster preparedness commission within the department of



1 for administrative purposes only. The commission
2 shall consist of seven members who shall be appointed by the
3 governor in accordance with section 26-34, except as provided in
4 this chapter, as follows:

- 5 (1) One member selected by the governor;
- 6 (2) One member selected by the speaker of the house of
7 representatives;
- 8 (3) One member selected by the president of the senate;
- 9 (4) Four members selected by the mayors of the counties
10 Hawaii, Maui, Kauai, and the city and county of
11 Honolulu, each of whom shall select one member; and
- 12 (5) One member to represent the judiciary, as selected by
13 the chief justice.

14 Any vacancy occurring in the membership of the commission shall
15 filled in the same manner as the original appointment. The
16 commission shall select one of its members to serve as
17 chairperson. No member of the commission shall receive any
18 compensation for commission services; provided that members
19 shall be allowed necessary expenses, including travel expenses,
20 incurred in the performance of their official duties.



1 (b) The commission shall advise and assist the director in
2 developing a comprehensive disaster preparedness plan for the
3 State. The commission's duties in this regard shall include:

4 (1) Gathering information about past disasters that have
5 occurred in the state; and

6 (2) Establishing advisory committees to provide technical
7 and other support to the director."

8 SECTION 2. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2011-2012 and
11 the same sum or so much thereof as may be necessary for fiscal
12 year 2012-2013 to establish and operate the office of disaster
13 preparedness and the disaster preparedness commission, including
14 hiring necessary staff.

15 The sums appropriated shall be expended by the department
16 of for the purposes of this Act.

17 SECTION 3. This Act shall take effect on July 1, 2011.

18

INTRODUCED BY: _____

[Handwritten signature]
Will Ezers
Paula J. Baker
Gilbert Kalake



Report Title:

Disaster Preparedness Plan; Natural Disasters; Natural Hazard

Description:

Establishes the Office of Disaster Preparedness and a Disaster Preparedness Commission to develop a disaster preparedness plan for the State that includes the identification of natural hazards and impact zones, disaster mitigation policies, incentives, and response plans. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

