

Honolulu, Hawaii

April 25, 2014

RE: H.B. No. 849  
H.D. 2  
S.D. 2  
C.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 849, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to update and recodify Hawaii's emergency management laws to conform with nationwide emergency management practices. Among other things, this measure:

- (1) Establishes a Hawaii Emergency Management Agency in the state Department of Defense with the functions and authority currently held by the state Civil Defense Agency;
- (2) Establishes the power and authority of the Director of Hawaii Emergency Management, who will be the Adjutant



General, and provide the Director with the functions and authority currently held by the Director of Civil Defense;

- (3) Establishes the Hawaii Advisory Council on Emergency Management to confer with and advise the Governor in emergency management matters, and provides the Advisory Council with responsibilities currently held by the Civil Defense Advisory Council;
- (4) Establishes an Emergency Reserve Corps, to be made up of trained specialists, to support state and county emergency requirements;
- (5) Codifies the existing State Warning Point, which is a physical location where warning systems are continually monitored;
- (6) Codifies and clarifies the mayors' authority for emergency management in their respective counties;
- (7) Establishes county emergency management agencies, each to be under the respective county mayor's direction, with the functions and authority currently held by the local organizations for civil defense;
- (8) Codifies the existing practice that all state and county officials, officers, and employees are considered "emergency workers" subject to the direction of their respective state or county department director during emergencies or disasters;
- (9) Clarifies the Governor's authority for emergency management, and specifies that the Governor may "assume direct operational control" over local emergencies and disasters only during an "emergency period" when a state of emergency has already been declared by the Governor;
- (10) Authorizes the Governor and mayors to delegate their emergency management powers consistent with current civil defense authority and practice;
- (11) Establishes how proclamations are promulgated and terminated consistent with current authority for civil defense proclamations;



- (12) Requires that the proclamations be posted on the applicable state or county emergency management agency website in addition to other means of promulgation, and that they remain posted until terminated;
- (13) Provides definitions of key emergency management terms, such as "critical infrastructure," "emergency," "emergency management," "emergency management functions," and "emergency period"; and
- (14) Repeals chapters on Disaster Relief and the Civil Defense Emergency Act which have been determined to be obsolete with the creation of the Hawaii Emergency Management Agency.

Your Committee on Conference has amended this measure by:

- (1) Establishing a provision that limits the requisition initiated by the Governor or Mayor to a period of 60 days;
- (2) Clarifying the Governor's additional powers in a disaster or emergency period, beyond local control;
- (3) Changing its effective date to July 1, 2014; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 849, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 849, H.D. 2, S.D. 2, C.D. 1.



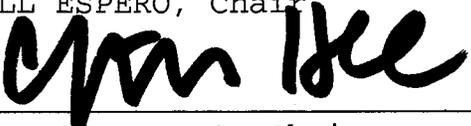
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

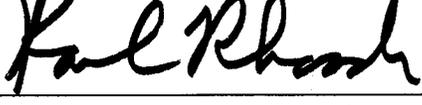
  
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WILL ESPERO, Chair

  
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HENRY J.C. AQUINO, Co-Chair

  
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CLAYTON HEE, Co-Chair

  
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K. MARK TAKAI, Co-Chair

  
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RONALD D. KOUCHI, Co-Chair

  
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KARL RHOADS, Co-Chair

  
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KANIELA ING, Co-Chair

