A BILL FOR AN ACT

RELATING TO EMERGENCY MANAGEMENT.

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

SECTION 1. Section 127A-3, Hawaii Revised Statutes, is amended by amending subsections (c) and (d) to read as follows:

"(c) The administrator may, from funds allotted therefor, employ technical, clerical, administrative, and other personnel and make such expenditures as may be necessary.

(d) The administrator shall coordinate the activities of the agency with all county emergency management agencies, other state agencies, other states, or federal agencies involved in emergency management activities, and all organizations for emergency management within the State, whether public or private, and shall maintain liaison and cooperate with all county emergency management agencies, other state agencies, other states, or federal agencies involved in emergency management activities as provided in this chapter."

SECTION 2. Section 127A-5, Hawaii Revised Statutes, is amended by amending subsection (i) to read as follows:

"(i) Each county, under the mayor's direction, shall coordinate, develop, and implement a comprehensive
emergency management plan for the county[-] and submit annual reports to the administrator on the status and updates of the plan."

SECTION 3. Section 127A-6, Hawaii Revised Statutes, is amended to read as follows:

"§127A-6 Emergency management reserve corps. (a) The administrator may establish an emergency management reserve corps comprising trained specialists to support state and county emergency [or], disaster, or day to day requirements. The emergency management reserve corps may include:

(1) Any employee of the State or county;

(2) Any employee hired specifically for staffing during emergency, disaster, and day to day periods and exercises who shall be hired and compensated without regard to chapters 76, 78, and 88; and

(3) Any volunteer, who shall be detailed in accordance with this chapter.

Emergency reserve corps positions shall be authorized and managed by the agency and do not need the approval of the governor.

(b) The emergency management reserve corps shall support state emergency or disaster requirements and, if requested by a
county emergency management agency, supplement the county
emergency management agency staff. The emergency management
reserve corps may be mobilized during, or in advance of,
emergencies or disasters, or for emergency management exercises
and training events,] day to day activities. Emergency
management reserve corps members shall attend a minimum of [four
days] forty hours of paid training activities per year."

SECTION 4. Section 127A-16, Hawaii Revised Statutes, is
amended to read as follows:

"§127A-16, Major disaster fund. (a) The director shall
submit requests to the legislature to appropriate from the
general revenues of the State sufficient moneys as may be
necessary for expenditure by or under the direction of the
governor for immediate relief in response to an emergency or
disaster in any part of the State; provided that:

(1) The governor has issued a proclamation of a state of
emergency;

(2) The governor may not expend in excess of [$5,000,000]
$10,000,000 for immediate relief as a result of any
single emergency or disaster; and
(3) In addition to the funds in paragraph (2), an additional $5,000,000 may be made available solely for the purpose of matching federal disaster relief funds when these funds become available to the State following a presidential disaster declaration.

In expending the moneys, the governor may allot any portion thereof to any agency, office, or employee of the State or a county for the most efficient relief for the population.

Notwithstanding this subsection, the only exception to paragraphs (1), (2), and (3) is that the [director] administrator may use up to [$100,000] $250,000 per year to support emergency management reserve corps [training].

(b) No later than [one-month] sixty days after any allotment by the governor or the expenditure of any fund moneys, the [director] administrator shall report to the legislature on the purpose of the allotment or expenditure.

(c) Except as provided in subsection (d), federal reimbursement moneys for disaster relief shall be deemed to be trust moneys and may be deposited into a trust account with and under the control of the department of defense. These moneys and any interest earned thereon shall be used for the purpose
identified in subsection (a) and shall not lapse to the general fund.

(d) In cases in which the department of education expends the funds appropriated to the department for purposes deemed to be reimbursable by federal reimbursement moneys for disaster relief, the federal reimbursement moneys shall not lapse to the general fund and shall be credited directly to the department of education without regard to whether the original appropriation has lapsed. Such funds shall carry over in accordance with section 37-41.5(c)."

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.
Report Title:
Emergency Management

Description:
To improve and enhance the effectiveness of the State Emergency Management Program through modifications and additions to the Hawaii Revised Statute Chapter 127A.

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

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO CHANGES TO EMERGENCY MANAGEMENT.

PURPOSE: To improve and enhance the effectiveness of the State Emergency Management Program through modifications and additions to chapter 127A, Hawaii Revised Statutes.

MEANS: Amend sections 127A, (c) and (d), 127A-5(i), 127A-6, and 127A-16, Hawaii Revised Statutes.

JUSTIFICATION: In the last year the State of Hawaii has experienced challenges and opportunities in the sustainment and development of the State Emergency Management program. From the missile alert notification in January, through the April flooding on Kauai and Oahu, through the statewide impacts of tropical system Lane in August, and most recently through the statewide impacts from tropical system Olivia in September, Hawaii Emergency Management Agency (HI-EMA) has balanced incidents both natural and human-caused to help protect lives, property, and the environment. During this time, HI-EMA has been through a leadership change and has set a path ahead to build morale throughout the organization, public confidence in the State emergency management program, and strength in partnerships with our public and private sector stakeholders. There are multiple areas in current law under chapter 127A Emergency Management that need modifications support these efforts including:

DEF-04(19)

Impact on the public: Improved response and recovery to state emergencies and disasters.

Impact on the department and other agencies: Enhanced effectiveness to response and recovery operations.

GENERAL FUND: None.

OTHER FUND: None.

PPBS PROGRAM DESIGNATION: None.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon adoption.