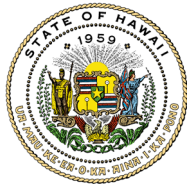


JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



KENNETH S. HARA  
DIRECTOR OF EMERGENCY  
MANAGEMENT

JAMES DS. BARROS  
ADMINISTRATOR OF  
EMERGENCY MANAGEMENT

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 SENATE BILL 1332 SD1  
RELATING TO EMERGENCY MANAGEMENT

BEFORE THE HOUSE COMMITTEE ON **WATER AND LAND**

BY

JAMES DS. BARROS  
ADMINISTRATOR  
HAWAI'I EMERGENCY MANAGEMENT AGENCY

March 20, 2023

Aloha Chair Ichiyama, Vice-Chair Poepoe, 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 SD1.

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.

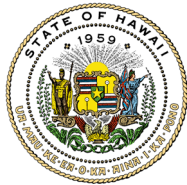
This bill was amended in the Senate to include an appropriation for the planning and design of a new HI-EMA facility at the proposed First Responder Technology Campus. To the extent that it does not conflict with the priorities set in the executive budget proposal, we support these new provisions.

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

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



KENNETH S. HARA  
MAJOR GENERAL  
ADJUTANT GENERAL  
KA 'AKUKANA KENELALA

STEPHEN F. LOGAN  
BRIGADIER GENERAL  
DEPUTY ADJUTANT GENERAL  
KA HOPE 'AKUKANA KENELALA

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF DEFENSE**  
**KA 'OIHANA PILI KAUA**  
OFFICE OF THE ADJUTANT GENERAL  
3949 DIAMOND HEAD ROAD  
HONOLULU, HAWAI'I 96816-4495

STATE OF HAWAI'I  
DEPARTMENT OF DEFENSE

TESTIMONY ON SENATE BILL 1332 SD1  
RELATING TO EMERGENCY MANAGEMENT

BEFORE THE HOUSE COMMITTEE ON **WATER AND LAND**

BY

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

MARCH 20, 2023

Aloha Chair Ichiyama, Vice-Chair Poepoe, 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 SD1

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.

This bill was amended in the Senate to include an appropriation for the planning and design of a new HI-EMA facility at the proposed First Responder Technology Campus. We also support these new provisions, provided they do not conflict with the priorities set in the executive budget proposal.

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

Thank you for the opportunity to provide testimony.

MG Kenneth S. Hara: [kenneth.s.hara@hawaii.gov](mailto:kenneth.s.hara@hawaii.gov); 808-672-1001

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

OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 11<sup>th</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-2277 • EMAIL: [resilientoahu@honolulu.gov](mailto:resilientoahu@honolulu.gov) • INTERNET: [www.resilientoahu.org](http://www.resilientoahu.org)



RICK BLANGIARDI  
MAYOR

MATTHEW GONSER, AICP, CFM  
EXECUTIVE DIRECTOR &  
CHIEF RESILIENCE OFFICER

NICOLA HEDGE  
DEPUTY DIRECTOR &  
DEPUTY CHIEF RESILIENCE OFFICER

TUESDAY, MARCH 21, 2023, 9:15 A.M.

STATE OF HAWAII  
HOUSE COMMITTEE ON WATER & LAND

**TESTIMONY ON SENATE BILL 1332, SD1  
RELATING TO EMERGENCY MANAGEMENT**

BY,

MATTHEW GONSER  
EXECUTIVE DIRECTOR AND CHIEF RESILIENCE OFFICER  
OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

Dear Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee:

The City and County of Honolulu (“City”) Office of Climate Change, Sustainability and Resiliency (CCSR) **supports** SB1332 SD1, which clarifies the scope of the Comprehensive Emergency Management Plan and increases the amount of additional funds that may be made available for the purpose of matching federal disaster relief funds.

The City, through the Department of Emergency Management and with support from CCSR, manages a multi-hazard pre-disaster mitigation plan with the goal of protecting O’ahu residents and mitigating losses. The plan coordinates City actions and policies related to hazard mitigation and incorporates mitigation goals established by the state’s Comprehensive Emergency Management Plan. Changes proposed by SB1332 SD1 would clarify the scope of the state’s Comprehensive Emergency Management Plan on how the state not only addresses but prepares for, mitigates against, and recovers from emergencies and disaster events. This supports a more holistic and cost-effective approach to emergency management and disaster response and recovery.

Over the past two years the City, from coordination through CCSR, has initiated multiple hazard mitigation projects with federal disaster relief program funding. However, these programs often require a cost-match of between 10-25% from the affected communities. Increasing the limit of money available for the purpose of

Chair Ichiyama and Vice Chair Poepoe  
SB1332, SD1  
March 21, 2023  
Page 2

matching federal disaster relief funds will further support cost-effective community recovery and resilience. The Federal Emergency Management Agency has identified for every dollar of federal grant funding spent on natural hazard mitigation, an average of six dollars is saved during disaster recovery. Thus, the changes proposed by this bill would better enable the City to protect and promote public health, safety, and welfare before, during, and after an emergency or disaster event.

Thank you for the opportunity to testify in support of SB1332, SD1.



**TESTIMONY OF TINA YAMAKI, PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
MARCH 21, 2023**

**Re: SB 1332 SD1 RELATING TO EMERGENCY MANAGEMENT**

Good morning, Chair Ichiyama, and members of the House Committee on Water & Land. 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 SD1 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; appropriates moneys to the Hawai'i Emergency Management Agency for the planning and design of a new facility in Mililani, Oahu. 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 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.



# Chamber of Commerce HAWAII

*The Voice of Business*

**Testimony to the House Committee on Water & Land  
Tuesday, March 21, 2023, at 9:15 A.M.  
Conference Room 430 & Videoconference**

**RE: SB 1332 SD1 Relating to Emergency Management**

Aloha Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports SB 1332 SD1**, which 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; appropriates moneys to the Hawaii Emergency Management Agency for the planning and design of a new facility in Mililani, Oahu.

When an emergency proclamation is issued, HRS 127A-30 is invoked that requires pricing on all commodities to not raise as the date of proclamation. What we saw during the pandemic was that the emergency proclamation lasted for months and months on end, freezing the price on commodities that would normally fluctuate in price.

Hawaii's economy is seasonal for some industries, and if we have another emergency declaration like we saw during COVID, the law on the books would slow our economy down.

Our small businesses and industries do not price gauge based on uncertainty or when people are in distress. This bill would just avoid a long term freeze in prices and freeze in our economic growth to a long term emergency declaration.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Thank you for the opportunity to testify.



**SB-1332-SD-1**

Submitted on: 3/18/2023 2:33:20 PM

Testimony for WAL on 3/21/2023 9:15:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Why should the People Trust you now when you Fooked up Mager during the Pandimic witch we all know now was a Big Fake. That this hole thing was just to get peoplre to take the Vacine for Population Control. Yes We the People are a wake NOW!!!!!!