



BYLAWS

HAWAII STATE HAZARD MITIGATION FORUM

ARTICLE I – NAME and AUTHORITY

- I-1. The name of this organization is the Hawaii State Hazard Mitigation Forum (Forum), hereinafter referred to as the “Forum.”
- I-2. As delegated by the Disaster Mitigation Act of 2000 Sec. 204, the State may coordinate and administer a committed mitigation grants and planning program. The key responsibilities of the State and local activities relating to hazard evaluation and mitigation are delegated as per 44 CFR 201.
- I-3. The Forum is established under the authority contained in the Hawaii Revised Statutes Chapter 127A, which empowers the Hawaii Emergency Management Agency (HI-EMA) to carry out the emergency management program for the State of Hawaii.

ARTICLE II – MISSION and PURPOSE

- II-1. The Forum mission is to promote a more disaster-resilient Hawaii.
- II-2. The Forum shall advise and support HI-EMA Hazard Mitigation, on matters concerning planning, projects and policies for all natural and human-caused hazards. All Forum activities must meet the requirements stated in the Hawaii State Hazard Mitigation Plan (SHMP).
- II-3. The Forum shall:
 - 1. Implement the SHMP through the following actions:
 - a. Evaluate and prioritize measures to mitigate the risks associated with Hawaii’s hazards;
 - b. Assist HI-EMA to solicit, review, and prioritize nominations for hazard mitigation projects to be included in the SHMP;
 - c. Advise the selection of applicants for FEMA’s Hazard Mitigation Assistance (HMA) funding, including the Building Resilient Infrastructure and Communities (BRIC), the Hazard Mitigation Grant Program (HMGP), and the Flood Mitigation Assistance(FMA) programs; and other Federal, State, and Private Grant Programs.
 - d. Assist State and county agencies in obtaining other, non-FEMA funding to implement hazard mitigation projects;
 - e. Develop a comprehensive public awareness program on the activities of the Forum, highlighting successful hazard mitigation projects; and
 - f. Coordinate activities and hazard mitigation planning among other entities.
 - 2. Review and update the SHMP, as required by federal law, or as needed.



ARTICLE III - DEFINITIONS

- III-1. The following definitions are derived from statutory documents which have been accepted by all levels of government involved in emergency management activities or operations:
1. Flood Mitigation Assistance: A Federal Emergency Management Agency (FEMA) grant program authorized by Section 1366 of the National Flood Insurance Act of 1968, as amended, with the goal of reducing or eliminating claims under the National Flood Insurance Program (NFIP). FMA provides funding to States, Territories, and local communities for projects and planning that reduces or eliminates long-term risk of flood damage to structures insured under the NFIP. FMA grants are awarded on a competitive basis and funding is appropriated by Congress annually.
 2. Hazard Mitigation: Any action taken to reduce or permanently eliminate the long-term risk to human life and property loss or damage from hazards.
 3. Hazard Mitigation Assistance: any of three programs administered by FEMA that provide funding for eligible mitigation planning and projects to reduce disaster losses and protect life and property from future disaster damages. The programs are the Building Resilient Infrastructure and Communities (BRIC) Program, the Hazard Mitigation Grant Program (HMGP), and the Flood Mitigation Assistance (FMA) Program.
 4. Building Resilient Infrastructure and Communities (BRIC) grant program: a FEMA grant program that provides funding to States, Territories, and local communities to implement a sustained pre-disaster natural hazard mitigation program. The goal is to reduce overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters. This program awards planning and project grants and provides opportunities for raising public awareness about reducing future losses before disaster strikes. Planning is a key process used to break the cycle of disaster damage, reconstruction, and repeated damage. The BRIC program is funded annually by Congressional appropriations and grants are awarded on a nationally competitive basis.
 5. Hazard Mitigation Grant Program (HMGP): A FEMA program involving a coordinated effort of State and county agencies and private organizations to reduce risks to people and property from natural hazards. During and after Presidentially declared disasters, the Stafford Act makes available federal funds up to 15 percent of the estimated aggregate amount of grants for emergencies and permanent repairs under the federally-declared disaster. The federal government may contribute up to 75 percent of any cost-effective measure while the State, county governments or private nonprofit organizations contribute the remaining 25 percent of the project costs.
 6. Major Disaster: Any natural catastrophe, or, regardless of cause, any fire or explosion which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of State and county governments and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.
 7. Measure/Project: Any activity proposed to reduce risk of future damage, hardship, loss, or suffering from major disasters. The terms are used interchangeably.



8. Stafford Act: Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, signed into law on November 23, 1988, amended the Disaster Relief Act of 1974, PL 93-288.
9. State Hazard Mitigation Officer: The officer who coordinates and monitors all State hazard mitigation programs. This responsibility has been placed in HI-EMA.

ARTICLE IV - MEMBERSHIP

- IV-1. The Forum shall be composed of a minimum of 11 members and a maximum of 19 members, appointed by the HI-EMA Administrator. Each county shall be entitled to at least one member. If the county seat is filled by other than the County Civil Defense or Emergency Management Administrator (CA), the CA shall be a non-voting, ex-officio member. A FEMA representative shall be entitled to non-voting, ex-officio membership.
- IV-2. Membership Terms:
 1. Forum members shall serve three-year terms and may be reappointed.
 2. Prior to the last meeting of each calendar year, members shall reaffirm willingness to remain on the Forum through written confirmation. HI-EMA will contact each Forum member and request their confirmation through a standardized consent form.
 3. A member who has more than two absences from scheduled meetings per year without valid cause may be requested by the HI-EMA Administrator to forfeit membership. A member may be represented by an approved alternate at a specific meeting.
 4. If a vacancy should occur, the remaining members may recommend to the HI-EMA Administrator a replacement to fill the vacancy. The Administrator shall appointment a replacement as soon as possible, but not more than four months from the vacancy. The appointee shall complete the term of the individual whose position was vacated.
- IV-3. Forum members shall have experience and interest in hazard mitigation activities such as, but not limited to, the following areas of expertise: Risk Analysis, Hazard Analysis, Public Awareness, Education, Emergency Management, Environmental Studies or Protection, Structural Engineering, Seismology, Geology, Public Works, Public Utilities, Insurance, Planning, Flood Control, Land Utilization, Waste Management, Sheltering, Energy, Construction, Communications, Building Codes, Architecture, Coastal Zone Management, Resilience, and Grants Management. Members may be selected from governmental agencies, the private sector, and the public at large, if one of the above qualifications is met. Each county government will be insured of having at least one member.
- IV-4. The opinions of Forum members need not represent the views of other organizations in which they have membership.



ARTICLE V - OFFICERS

- V-1. The Forum shall elect a Chair and Vice Chair from among its members. The Executive Assistant(s) will be appointed by the HI-EMA Administrator and/or the SHMO.
- V-2. The duties of the **Chair** shall be:
1. Preside at all meetings of the Forum;
 2. Call for approval of the minutes of the preceding meeting when a quorum is present;
 3. Announce the business before the Forum;
 4. Receive all matters brought before the Forum, and to call for votes on matters that require an announcement of results;
 5. Appoint members to all committees, subject to appeal by a majority of Forum members;
 6. Authenticate, by signature, all acts of the Forum as may be required;
 7. Make known all rules of orders when so requested and to decide all questions of order, subject to appeal to the Forum;
 8. Act as spokesperson for the Forum;
 9. Perform other duties as may be required of such office.
- V-3. The duties of the **Vice Chair** shall be:
1. Act as the presiding officer in the absence or disability of the Chair;
 2. Perform any special duties assigned by the Chair;
 3. In case of resignation or incapacitation of the Chair, the Vice Chair shall become Chair for the unexpired part of the term.
- V-4. The duties of the **Executive Assistant** shall be:
1. Keep accurate and current minutes of each meeting of the Forum, noting all actions taken, whether carried or lost;
 2. Call the meeting to order in the absence of the Chair and Vice Chair and proceed with the election of a temporary Chair;
 3. Prepare and disseminate correspondence as directed;
 4. Send out all notices of meetings;
 5. Keep an account of receipts and expenditures.
 6. Work with the Chair and Vice Chair to develop an annual report of the Forum's activities. Annual reports will be submitted the January following the end of each year.



ARTICLE VI - MEETINGS

- VI-1. A majority of the entire voting Forum membership shall constitute a quorum.
- VI-2. Members are strongly encouraged to attend in person. Meetings may be held in the State emergency operations facility that would allow attendance via secure video teleconferencing with the County emergency operations centers. Other technologies for hosting virtual meeting must be approved by the forum.
- VI-3. Quorum is required to take any action.
- VI-4. Regular meetings of the Forum shall be held quarterly. The Forum may also convene special meetings at any other times deemed appropriate.
- VI-5. Special meetings may be called by the officers of the Forum.
- VI-6. Any Forum member may request that a matter be placed on the agenda by notifying the Executive Assistant 15 calendar days before the date of a meeting.
- VI-7. The Forum requests prior notification of dissenting opinions when such opinions are made public. The Forum shall not prohibit the expression of dissenting opinions.
- VI-8. The Forum shall be notified of any solicitation of outside party review of Forum work. The reviewer shall be notified when their request has reached the Forum.
- VI-9. The Executive Assistant will prepare the minutes of all meetings and disseminate them to all members prior to the next scheduled meeting.

ARTICLE VII - COMMITTEES

- VII-1. The Forum should utilize the work of established committees, boards, councils, etc., which are involved in hazard mitigation affairs such as the Hawaii Earthquake and Tsunami Advisory Committee to facilitate its own actions and to maximize available resources and expertise.
- VII-2. The Forum may establish sub-committees whose members are appointed by the Chair.

ARTICLE VIII

PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF BYLAWS

- VIII-1. Any voting Forum member may petition the Forum requesting adoption, amendment, or repeal of any articles of the Bylaws.
- VIII-2. Bylaws may be adopted, amended, or repealed by the vote of a majority of the voting membership of the Forum.
- VIII-3. Subject to Article XI, changes to the Bylaws shall become effective at the next regularly scheduled meeting.



ARTICLE IX - PARLIAMENTARY AUTHORITY

IX-1. Robert's Rules of Order, revised, shall govern the Forum in such case that actions are not consistent with these Bylaws.

ARTICLE X - VALIDITY

X-1. If any section or part of the Bylaws is held to be invalid for any reason whatsoever, such invalidity shall not affect the validity of the remaining sections of the Bylaws.

ARTICLE XI - EFFECTIVE DATE

XI-1. These Bylaws shall become effective upon approval of the Administrator of HI-EMA.

Luke P. Meyers
Administrator
Hawaii Emergency Management Agency
State of Hawaii Department of Defense

Mar 2, 2022

DATE