
A BILL FOR AN ACT

RELATING TO EMERGENCY SHELTERS.

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

1 PART I

2 SECTION 1. Chapter 201G, Hawaii Revised Statutes, is
3 amended by adding a new section in part IV to be appropriately
4 designated and to read as follows:

5 "§201G- Temporary emergency housing. (a) In addition
6 to any other duties prescribed by law, the corporation shall
7 coordinate with the four counties a procedure for identifying
8 locations that shall be used for temporary emergency shelters
9 for homeless individuals and families.

10 (b) Each county shall be responsible for locating,
11 designating, and maintaining the areas that shall be used for
12 temporary emergency shelters. The designated locations may
13 include public parks or established homeless facilities."

14 SECTION 2. There is appropriated out of the general
15 revenues of the State of Hawaii the following sums, or so much
16 thereof as may be necessary for the fiscal year 2006-2007, to
17 assist the counties in implementing this Act:

18 City and county of Honolulu \$

1	County of Kauai	\$
2	County of Maui	\$
3	County of Hawaii	\$
4	Total	\$

5 SECTION 3. The sums appropriated shall constitute the
6 State's share of the cost of mandated programs under article
7 VIII, section 5, of the state constitution.

8 PART II

9 SECTION 4. Chapter 321, Hawaii Revised Statutes, is
10 amended by adding two new sections to be appropriately
11 designated and to read as follows:

12 **"§321- Disaster preparedness plans; health care**
13 **facilities; nursing homes.** (a) Within six months of the
14 effective date of this section, any existing health care
15 facility that is operating according to a certificate of need
16 pursuant to section 323D-43 shall file with the department a
17 disaster preparedness plan that details the facility's plan to
18 provide adequate emergency shelter for patients and staff, as
19 well as a plan to meet the medical needs of their patients
20 during a natural or manmade disaster.

21 (b) No certificate of need shall be issued to or renewed
22 for any proposed health care facility unless the facility has



1 also submitted a disaster preparedness plan required under
2 subsection (a) as part of its application.

3 (c) Within six months of the effective date of this
4 section, any existing nursing home that is licensed or certified
5 by the department shall file with the department a disaster
6 preparedness plan that details the facility's plan to provide
7 adequate emergency shelter for patients and staff, as well as a
8 plan to meet the medical needs of their patients during a
9 natural or manmade disaster.

10 (d) No license or certificate shall be issued to or
11 renewed for any proposed nursing home unless the facility has
12 also submitted a disaster preparedness plan required under
13 subsection (c) as part of its application.

14 (e) Any facility subject to this section, as a part of its
15 required disaster preparedness plan, shall include plans to
16 harden its structural facilities using new technologies
17 developed to prevent the progressive collapse of buildings
18 during a natural or man-made disaster. Each plan shall include
19 a timeline detailing the facility's planned implementation of
20 the prospective hardening of the structural facilities.

21 §321- Disaster preparedness plan; hotels. (a) Pursuant
22 to section 321-11 and no later than twelve months after the



1 effective date of this section, the department shall adopt rules
2 under chapter 91 necessary for the public health and safety that
3 requires all hotels with at least nine rooming units, in which
4 space is let by the owner or operator, to file with the
5 department a disaster preparedness plan that details the
6 facility's plan to provide adequate emergency shelter for
7 visitors and staff during a natural or manmade disaster.

8 (b) The disaster preparedness plan shall be submitted by
9 hotels subject to this section no later than thirty days after
10 the effective date of the rule adopted pursuant to subsection
11 (a).

12 (c) Any facility subject to this section, as a part of its
13 required disaster preparedness plan, shall include plans to
14 harden its structural facilities using new technologies
15 developed to prevent the progressive collapse of buildings
16 during a natural or man-made disaster. Each plan shall include
17 a timeline detailing the facility's planned implementation of
18 the prospective hardening of the structural facilities."

19 PART III

20 SECTION 5. The director of finance is authorized to issue
21 general obligation bonds in the sum of \$, or so much
22 thereof as may be necessary, and the same sum or so much thereof



1 as may be necessary, is appropriated for fiscal year 2006-2007,
2 to retrofit public school facilities to enable them to be used
3 for emergency shelters.

4 SECTION 6. The appropriation made for the capital
5 improvement projects authorized by this Act shall not lapse at
6 the end of the fiscal year for which the appropriation is made;
7 provided that all moneys from the appropriation unencumbered as
8 of June 30, 2008, shall lapse as of that date.

9 SECTION 7. The sum appropriated shall be expended by the
10 department of defense for the purposes of this Act.

11 PART IV

12 SECTION 8. The department of education and the department
13 of defense shall jointly determine which structures presently
14 being used for department of education operations have been
15 designated as emergency shelters but do not meet the department
16 of defense's design standards established pursuant to Act 5,
17 Special Session Laws of Hawaii 2005.

18 The department of education and the department of defense
19 shall also identify sites for new emergency shelters located
20 within or on the grounds of facilities being used for department
21 of education operations to be constructed according to the
22 current design standards.



1 The department of defense shall submit a report of any
2 findings and recommendations to the governor and the legislature
3 no later than twenty days prior to the convening of the regular
4 session of 2007.

5 SECTION 9. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$, or so
7 much thereof as may be necessary for fiscal year 2006-2007, for
8 the planning, design, construction, and equipment costs related
9 to retrofitting existing structures presently being used for
10 department of education operations that have been designated as
11 emergency shelters, to comply with design standards established
12 pursuant to Act 5, Special Session Laws of Hawaii 2005.

13 SECTION 10. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$, or so
15 much thereof as may be necessary for fiscal year 2006-2007, for
16 the planning, design, construction, and equipment costs related
17 to increasing the number of safe emergency shelters located in
18 the community.

19 PART V

20 SECTION 11. New statutory material is underscored.

21 SECTION 12. This Act shall take effect on July 1, 2006.



Report Title:

School Buildings; Emergency Shelters

Description:

Requires health care facilities and nursing homes subject to licensing or certification by the DOH to file a disaster preparedness plan with the DOH; mandates the HCDCH to coordinate efforts with the counties to identify places for temporary emergency shelters for homeless individuals and families; authorizes the issuance of general obligation bonds to fund retrofit of public school buildings to enable them to be used as emergency shelters; appropriates funds to retrofit existing and construct new emergency shelters, operate shelters on a 24/7 basis, upgrade civil defense communication systems, conduct an education and awareness campaign; makes appropriations for emergency shelters. (SD1)

