

SB 2884

Measure Title: RELATING TO TEMPORARY HOUSING.

Report Title: Homelessness; Temporary Emergency Transitional Housing

Description: Allows the State to construct temporary emergency transitional housing for homeless persons without going through permitting process. Authorizes the State to cooperate with nonstate actors to find permanent housing and other programs for homeless persons.

Companion:

Package: None

Current Referral: HOU/PSM, WAM

Introducer(s): ESPERO, S. CHANG, Inouye, Kim, Taniguchi, Wakai

February 6, 2018

The Honorable Will Espero, Chair

Senate Committee on Housing

The Honorable Clarence Nishihara, Chair

Senate Committee on Public Safety, Intergovernmental and Military Affairs

State Capitol, Room 225

Honolulu, Hawaii 96813

RE: Senate Bill 2884 Relating to Temporary Housing

HEARING: Tuesday, February 6, 2018, at 2:45 p.m. in Room 225

Aloha Chair Espero, Chair Nishihara and Members of the Committee,

I am Ken Hiraki, Director of Government Affairs, here to testify on behalf of the Hawai'i Association of REALTORS® (“HAR”), the voice of real estate in Hawai'i, and its close to 9,500 members. HAR **provides comments on Senate Bill 2884**, which allows the State to construct temporary emergency transitional housing for homeless persons without going through the permitting process. This measure also authorizes the State to cooperate with nonstate actors to find permanent housing and other programs for homeless persons.

In 2017, the Federal Emergency Management Agency (FEMA) warned the State of Hawai'i that they would suspend Hawaii's participation from the National Flood Insurance Program (NFIP), unless Hawai'i fixed an existing law, under Hawai'i Revised Statutes §46-88, that conflicted with its regulatory requirements. HRS §46-88 provided a broad exemption from building permit and building code requirements for certain types of agricultural buildings, structures, and appurtenances.

FEMA requires participating communities to regulate development within Special Flood Hazard Areas. Development is defined by FEMA as any “man-made change to improve or unimproved real estate, including but not limited to building or structures, mining, dredging, filling, grading paving, excavation or drilling operations or storage of equipment or materials.” The broad exemption from the building permitting requirements for these structures were in conflict with State and County agreements with FEMA to maintain floodplain management regulation.

Under this measure, as temporary emergency transitional housing could be deemed development under FEMA's requirement, Hawai'i could once again run the risk of losing its NFIP eligibility by providing a broad building permit exemption for temporary emergency transitional housing.

We are grateful that the Legislature passed Act 70 last year that fixed HRS §46-88, to ensure over 60,000 homeowners did not lose their flood insurance. As such, we are concerned that this measure may risk Hawaii's NFIP eligibility once again.

Mahalo for the opportunity to testify on this measure.

February 4, 2018

Senate Committee on Housing and Public Safety, Intergovernmental, and Military Affairs

RE: SB2884 Relating to Temporary Housing

Dear Members of the Committees on Housing and Public Safety, Intergovernmental and Military Affairs:

The Pearl City Neighborhood Board is in support of SB2884. Our community has seen a dramatic increase of the homeless in our district, particularly in Blaisdell Park, along the bike trail, and under the freeway. Our board has heard stories from homeless people having to wait years to find shelter. We see a need for the homeless to live in dignity while they wait for permanent housing.

On July 26, 2016 the Pearl City Neighborhood Board unanimously voted for a resolution in favor of a temporary homeless encampment in our district. Furthermore, our Health, Education and Welfare Committee just recently voted in favor of a House Concurrent Resolution to construct low-cost housing for the homeless below the H-1 viaduct. We feel that SB2884 for the State to allow temporary shelters without going through permitting is in alignment with our board vision to addressing the increasing problem of homelessness in our State.

We appreciate your consideration and support on this measure.

Sincerely,

Mitsuko Hayakawa
Vice Chair, Pearl City Neighborhood