



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

September 15, 2020

**GOV. MSG. NO. 1182**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirtieth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith SB2206 SD2 HD2, without my approval and with the statement of objections relating to the measure.

SB2206 SD2 HD2

RELATING TO HOMELESSNESS.

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

September 15, 2020

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2206

Honorable Members  
Thirtieth Legislature  
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 2206, entitled "A Bill for an Act Relating to Homelessness."

The purpose of this bill is to authorize the Board of Land and Natural Resources to issue month-to-month revocable permits for temporary emergency sheltering of and facilities for homeless persons on state lands under certain conditions.

This bill is objectionable because, as written, it may expose the State to liability. There are also concerns regarding extra costs in the event of a default where the Department of Land and Natural Resources could incur significant personnel costs for eviction enforcement as well as expenses for removal of abandoned structures and any remediation required to address the unauthorized land uses.

For the foregoing reasons, I am returning Senate Bill No. 2206 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is fluid and cursive, with a large, sweeping flourish at the end.

DAVID Y. IGE  
Governor of Hawai'i

**VETO**

THE SENATE  
THIRTIETH LEGISLATURE, 2020  
STATE OF HAWAII

**S.B. NO.** 2206  
S.D. 2  
H.D. 2

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## A BILL FOR AN ACT

RELATING TO HOMELESSNESS.

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

1           SECTION 1. The legislature finds that the COVID-19  
2 pandemic has endangered lives around the world. Amid threats to  
3 people's well-being, concerns about an overextended health care  
4 system, and record numbers of unemployed individuals,  
5 communities have come together to create emergency areas to  
6 house and help those who are homeless.

7           The legislature further finds that COVID-19 will likely  
8 continue to pose risks to Hawaii until an effective treatment or  
9 vaccine is developed, and given these risks, it is unsafe to  
10 remove people from established emergency homes and services.

11           The legislature finds that ensuring public safety is  
12 paramount, and it is in the public interest to assist emergency  
13 homeless camps to temporarily provide shelter due to COVID-19,  
14 persistent homelessness, and a severe economic downturn in the  
15 State.

16           The purpose of this Act is to ensure the safety of those  
17 individuals in emergency homeless camps by authorizing the board



1 of land and natural resources to issue month-to-month revocable  
2 permits to be used for temporary emergency sheltering and  
3 facilities for homeless persons on state lands.

4 SECTION 2. (a) Notwithstanding any law to the contrary,  
5 the board of land and natural resources may issue month-to-month  
6 revocable permits to be used for the temporary emergency  
7 sheltering of and facilities for homeless persons on state lands  
8 under conditions, including rent amounts that will serve the  
9 best interest of the State; provided that:

- 10 (1) Any revocable permit issued pursuant to this Act shall  
11 be exempt from chapter 171, Hawaii Revised Statutes;
- 12 (2) A revocable permit may only be issued pursuant to this  
13 Act if the person to whom the revocable permit is  
14 issued has a written agreement or partnership with the  
15 State or any political subdivision thereof; and
- 16 (3) A revocable permit shall not be issued for lands under  
17 the control or management of the department of  
18 agriculture until the board of land and natural  
19 resources has obtained the prior written agreement of  
20 the department of agriculture.



1           (b) A person to whom a revocable permit is issued pursuant  
2 to this Act shall endeavor to meet all applicable state and  
3 county requirements, or if noncompliant due to the nature of the  
4 emergency, shall demonstrate good faith planning and progress to  
5 achieve and maintain compliance, or seek alternative locations  
6 for the long term sheltering of homeless persons.

7           (c) Each person to whom a revocable permit is issued or  
8 who resides on state-owned land leased pursuant to this Act  
9 shall, in writing, waive, release, indemnify, and hold harmless  
10 the State of Hawaii, its officers, agents, and employees from  
11 and against any and all claims arising out of or resulting from  
12 the lease or occupancy; provided that the written waiver,  
13 release, indemnification, and holding harmless provided pursuant  
14 to this subsection shall survive the repeal of this Act.

15           SECTION 3. This Act shall take effect upon its approval  
16 and shall be repealed ninety days after the last day of the  
17 disaster emergency relief period specified in the governor's  
18 final supplementary proclamation relating to the COVID-19  
19 emergency, irrespective of any separate proclamation terminating  
20 the disaster emergency relief period in the governor's final  
21 supplementary proclamation relating to the COVID-19 emergency.

**S.B. NO.** 2206  
S.D. 2  
H.D. 2

APPROVED this                      day of                      , 2020

GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI'I**

Date: July 10, 2020  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020.



President of the Senate



Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE  
STATE OF HAWAII

Date: July 6, 2020  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives