

Honolulu, Hawaii

**MAR 03 2023**

RE: S.B. No. 298  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 298 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY  
MANAGEMENT AGENCY,"

begs leave to report as follows:

The purpose and intent of this measure is to provide the Hawaii Emergency Management Agency with additional flexibility to carry out the agency's mission.

More specifically, this measure:

- (1) Authorizes the Hawaii Emergency Management Agency to:
  - (A) Acquire any real, personal, or mixed property for the agency's immediate or future use;
  - (B) Own, hold, improve, rehabilitate, sell, assign, exchange, transfer, convey, lease, or dispose of any real, personal, or mixed property acquired; and
  - (C) Acquire by condemnation real property for the agency's immediate or future use; and



- (2) Excludes from the definition of "public lands" any lands to which the Hawaii Emergency Management Agency holds title.

Your Committee received written comments in opposition to this measure from UNITE HERE Local 5 and one individual.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs and Hawaiian Electric Company.

Your Committee finds that by providing the Hawaii Emergency Management Agency with additional flexibility to carry out the agency's mission, this measure will help the agency to implement hazard mitigation efforts more efficiently and effectively.

Your Committee notes that in its written comments on this measure, the Office of Hawaiian Affairs expressed concern that enactment of this measure will facilitate the permanent alienation of public land trust lands from which the Office of Hawaiian Affairs receives a pro rata share. The Office of Hawaiian Affairs suggested amending this measure to include in the definition of "public lands" any lands to which the Hawaii Emergency Management Agency holds title that are crown and government lands commonly referred to as "ceded lands" and that were conveyed to the State by virtue of the Admissions Act. However, your Committee believes that the Office of Hawaiian Affairs' concerns would be best addressed by enactment of Senate Bill No. 1235, which, among other things, requires that the working group established by Act 226, Session Laws of Hawaii 2022, complete a final inventory of all ceded lands in the public land trust.

Your Committee has amended this measure by:

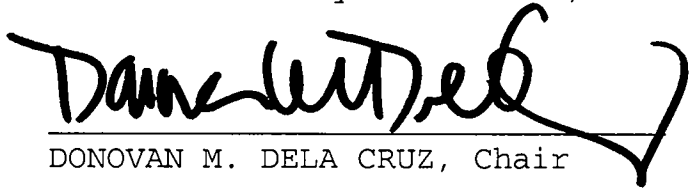
- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B.



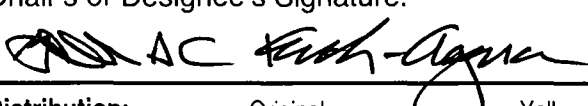
No. 298, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 298, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair

The Senate  
Thirty-Second Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB298</b>	Committee Referral: <b>PSM WTL,WAM</b>	Date: <b>2/22/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>13</b>			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:            Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes