

STAND. COM. REP. NO. 1260

Honolulu, Hawaii
, 2025

MAR 14

RE: S.B. No. 1296
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committees on Water & Land and Public Safety, to which
was referred S.B. No. 1296, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DISASTER RECOVERY,"

beg leave to report as follows:

The purpose of this measure is to exempt the reconstruction
of any lawfully constructed structure that was damaged or
destroyed in a disaster caused by wildfire, hurricane, flooding,
tsunami, or earthquake proclaimed by the Governor to constitute a
state of emergency from the requirements of a special management
area minor permit or a special management area use permit, under
certain conditions.

Your Committees received testimony in support of this measure
from the Department of Land and Natural Resources; Office of
Planning and Sustainable Development; Office of the Mayor of the
County of Maui; Maui Chamber of Commerce; Maui Hotel and Lodging
Association; Lahaina Restoration Foundation; The Art Source Inc.;
Pacific Rim Land, Inc.; Grassroot Institute of Hawaii; Lahaina
Town Action Committee; Front Street Recovery Organization;
Atlantis Submarines - Maui; Trilogy Excursions; Hakuna Matata
Hostel; Lāhainā Strong; and numerous individuals. Your Committees
received testimony in opposition to this measure from one



individual. Your Committees received comments on this measure from six individuals.

Your Committees find that special controls on development are necessary in coastal areas to preserve valuable resources and ensure adequate access to public beaches, recreation areas, and natural reserves. Your Committees further find that in the wake of major disasters such as the 2023 Maui wildfires, which destroyed much of Lahaina, these measures can needlessly delay the rebuilding and reconstruction of previously existing lawfully constructed structures.

Your Committees have amended this measure by:

- (1) Removing the specification that the disaster that damaged or destroyed the original structure was caused by wildfire, hurricane, flooding, tsunami, or earthquake;
- (2) Specifying that "development" also does not include reconstruction of a structure that was damaged or destroyed by a disaster declared pursuant to federal law;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Public Safety that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1296, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1296, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Public Safety,

Della Au Belatti

DELLA AU BELATTI, Chair

Mark J. Nashem

MARK J. NASHEM, Chair



