

STAND. COM. REP. NO.

291

Honolulu, Hawaii

FEB 12 2025

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 1296 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to facilitate recovery efforts in areas of Maui devastated by the 2023 wildfires by:

- (1) Exempting certain reconstructions of all or a portion of a structure in the Lahaina National Historic Landmark District that was destroyed by wildfire on August 8, 2023, from the requirement of a special management area permit or a special management area use permit; and
- (2) Increasing the valuation threshold for a special management area minor permit and a special management area use permit from \$500,000 to \$750,000.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Maui; Square Feet Management, LLC; Kean Family, LLC; Lahaina Ratoon, LLC; Hawai'i Restaurant Association; Lahaina Restoration Foundation; LahainaTown Action Committee; Makai Sunset Inn; Art Source, Inc.; Trilogy Excursions; ABC Stores; Historic Hawai'i Foundation; Ola



Maui; Warren & Annabelle's; Grassroot Institute of Hawaii; Chamber of Commerce Hawaii; and forty-eight individuals.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from the Office of Planning and Sustainable Development and two individuals.

Your Committee finds that the 2023 Maui Wildfires devastated Lahaina's heritage, economy, and sense of place, and has deeply affected housing, businesses, jobs, and treasured resources. If the area is not built in a deliberate, coordinated, and expeditious manner, the area may languish in the long term, further affecting the well-being of the land, people, and economy. Your Committee finds that exempting certain development from the requirements of a special management area minor permit or a special management area use permit will expedite the construction of non-shoreline structures destroyed in the 2023 Maui Wildfires. Accordingly, this measure will facilitate reconstruction efforts by exempting certain structures from the requirements of a special management area minor permit or a special management area use permit.

Your Committee has amended this measure by:

- (1) Deleting language that would have increased the valuation threshold of a development subject to a special management area minor permit from \$500,000 to \$750,000 when it is located within an area subject to a federal disaster proclamation as of August 8, 2023;
- (2) Deleting language that would have increased the valuation threshold of a development subject to a special management area use permit from \$500,000 to \$750,000 when it is located within an area subject to a federal disaster proclamation as of August 8, 2023;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1296, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1296, S.D. 1, and be referred to your Committee on Judiciary.


Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUÉ, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1296</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">WTL, JDC</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">02/03/25</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
DECORTE, Samantha	✓			
TOTAL	5	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes