

Honolulu, Hawaii

FEB 28 2025

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

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

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 1296, S.D. 1, 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 on Maui by 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 minor permit or a special management area use permit.

Your Committee received testimony in support of this measure from the Historic Hawai'i Foundation; ABC Stores; Square Feet Management LLC; A.D. Furtado Properties Lahaina, LLC; Lahaina Restoration Foundation; Lahaina Town Action Committee; Grassroot Institute of Hawaii; Maui Chamber of Commerce; and twelve individuals.

Your Committee received comments on this measure from the Department of the Attorney General and Office of Planning and Sustainable Development.

Your Committee finds that it is essential that the State facilitate the reconstruction of Lahaina in the wake of the devastating 2023 Maui wildfires. Your Committee further finds



that there is an opportunity to rebuild Lahaina and the other parts of Maui that the wildfires destroyed by preserving and reintroducing its valued resources in a manner that reflects the values and priorities of its residents and businesses, and addresses future challenges, including climate change and affordable housing. Your Committee additionally finds that natural disasters are increasing in frequency due to climate change and the State must be proactive in its efforts to address future natural disasters. Accordingly, amendments to this measure are necessary to broaden its scope and provide a clear and efficient path to rebuilding communities throughout the State affected by natural disasters.

Your Committee has amended this measure by:

- (1) Replacing language that would have exempted 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 requirements of a special management area minor permit or a special management area use permit with language that exempts the reconstruction of any lawfully constructed structure damaged or destroyed in a disaster caused by wildfire, hurricane, flooding, tsunami, or earthquake proclaimed by the Governor to constitute to a state of emergency from the requirements of a special management area minor permit or a special management area use permit under certain conditions; and
- (2) Amending section 1 to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1296, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1296, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

Karl Rhoads

KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 1296, SD1	Committee Referral: WTL, JDC	Date: 2/27/25		
<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;"> <div> <input type="checkbox"/> Pass, unamended 2312 </div> <div> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div> <input type="checkbox"/> Hold 2310 </div> <div> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
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: 				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes