STAND. COM. REP. NO. 26

Honolulu, Hawaii

, 2025

MAR 14

S.B. No. 1296 RE:

> 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 constructured 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.

STAND. COM. REP. NO. 126

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

DELLA AU BELATTI, Chair

MARK J. NASHEM, Chair

State of Hawaii



Record of Votes of the Committee on Water & Land

	Committee Referral: NAL/PBS, JHA	Date	3/11/2	5		
The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)						
WAL Members	Ayes	Ayes (WR)	Nays	Excused		
1. HASHEM, Mark J. (C)						
2. LAMOSAO, Rachele F. (VC)		Armsus Company	a, Jidagemana			
3. BELATTI, Della Au						
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4. ICHIYAMA, Linda		A LA TENER DE LE CONTRACTOR DE LA CONTRA				
		Chief Barrier State United Biology (1985)				
5. IWAMOTO, Kim Coco						
6. MORIKAWA, Dee				37-217: 13-4-11 A-14-		
7. POEPOE, Mahina						
7. TOEFOE, Manna						
8. WOODSON, Justin H.		e neuezate: Kilina				
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9. SHIMIZU, Garner M.						
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10. SOUZA, Kanani						
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TOTAL (10)	9	\bigcirc	O			
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s)						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						

State of Hawaii House of Representatives The Thirty-third Legislature

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Record of Votes of the Committee on Public Safety

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	e Referral:	1A Date		2025			
☐ The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)							
PBS Members	Ayes	Ayes (WR)	Nays	Excused			
1. BELATTI, Della Au (C)			448				
2. IWAMOTO, Kim Coco (VC)							
2. IWAMOTO, Kim Coco (VC)							
3. HASHEM, Mark J.	·			TO THE WATER IS			
4. ICHIYAMA, Linda							
5. LAMOSAO, Rachele F.							
6. MORIKAWA, Dee		Pile Park (MEMILIA)	Orani 1995, in Septembri	The second State of			
7. POEPOE, Mahina	27 47 42		S. 117 - 12912				
8. WOODSON, Justin H.		***************************************					
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9. SHIMIZU, Garner M.				N			
10. SOUZA, Kanani		A CONTRACTOR OF THE SECTION OF THE S					
TOTAL (10)	9						
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)							
Vice Chair's or designee's signature:							
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