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DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

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Testimony of the Department of Commerce and Consumer Affairs

**Before the
House Committee on Public Safety
Wednesday, January 29, 2025**

9:00 a.m.

State Capitol, Conference Room 411 and via Videoconference

**On the following measure:
H.B. 353, RELATING TO DISASTER PREPAREDNESS**

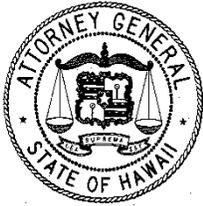
Chair Au Belatti and Members of the Committee:

My name is Gordon Ito, and I am the Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department supports the intent of this bill.

The purpose of this bill is to appropriate funds for the Office of the Governor, in collaboration with the Insurance Division of the Department of Commerce and Consumer Affairs, to oversee and administer grants to low-income residents and condominium associations on behalf of low-income condominium owners, and to fortify residential real property against hurricanes.

The Department supports the intent to ensure that residents from varying socioeconomic backgrounds have a viable means and opportunity to safeguard their residence against the growing threat of hurricanes.

Thank you for the opportunity to testify.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

H.B. NO. 353, RELATING TO DISASTER PREPAREDNESS.

BEFORE THE:

HOUSE COMMITTEE ON PUBLIC SAFETY

DATE: Wednesday, January 29, 2025 **TIME:** 9:00 a.m.

LOCATION: State Capitol, Room 411

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Ian Robertson, Deputy Attorney General

Chair Belatti and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purpose of this bill is to appropriate funds for the Office of the Governor, in collaboration with the Insurance Division of the Department of Commerce and Consumer Affairs, to oversee and administer grants to low-income residents, and condominium associations on behalf of low-income condominium owners, to fortify residential real property against hurricanes.

This bill does not appear to contain legally sufficient standards for grants of public money as required by article VII, section 4, of the Constitution of the State of Hawaii--"[n]o grant of public money or property shall be made except pursuant to standards provided by law." Therefore, we recommend that this bill be amended to insert appropriate standards. Examples of existing statutes that provide standards for agencies to issue grants are part II of chapter 9 and sections 10-17, 210D-11, and 383-128, Hawaii Revised Statutes.

We have attached to this testimony provisions authorizing the Office of the Governor in collaboration with the Insurance Division of the Department of Commerce and Consumer Affairs to make administrative grants and draft standards as a sample to work from. These standards could be inserted as a new section of the bill.

We respectfully ask the Committee to consider our comments.

POSSIBLE STANDARDS FOR THE GRANTS IN THIS BILL

The office of the governor, in collaboration with the insurance division of the department of commerce and consumer affairs, shall oversee and administer grants to low-income residents, and condominium associations on behalf of low-income condominium owners, to fortify residential real property against hurricanes. Applications for grants shall be made to the office of the governor and contain such information as the office shall require. At minimum, the applicant shall show:

- (1) The name of the requesting individual or condominium association;
- (2) A description of the residential real property or condominium units for which the grant will be used;
- (3) For an applicant who is an individual, information to show that the applicant earns eighty per cent or less of the area median income;
- (4) For an applicant that is a condominium association, information to show that the owners of units for which grant funds will be used make eighty per cent or less of the area median income;
- (5) The costs of the grant; and
- (6) That the grant shall be used for activities that are consistent with the purposes of this chapter.

Grants shall only be awarded if:

- (1) The applicant has applied for or received all applicable licenses and permits, when such is required to conduct the work for which a grant is awarded;
- (2) The applicant agrees to comply with applicable federal, state, and county laws;
- (3) The grant shall not be used for purposes of entertainment;
- (4) All activities and improvements undertaken with funds received shall comply with all applicable federal,

state, and county statutes and ordinances, including applicable building codes and agency rules; and

- (5) The applicant will indemnify and hold harmless the office of the governor, the State of Hawaii, its officers, agents, and employees from and against any and all claims arising out of or resulting from activities carried out or projects undertaken with funds provided hereunder, and procure sufficient insurance to provide this indemnification if requested to do so by the office of the governor.

Every grant shall be monitored by the office of the governor to ensure compliance with this chapter and the purposes and intent of the grant; and evaluated annually to determine whether the grant attained the intended results in the manner contemplated.

Grants made by the office of the governor under this Act may be made without regard to chapters 103D and 103F.



Hawai'i Climate Advisory Team

To: Representative Della Au Belatti, Chair
Representative Kim Coco Iwamoto, Vice Chair
House Committee on Public Safety

From: The Climate Advisory Team

RE: **HB353 - Relating to Disaster Preparedness - In Support**
Wednesday, January 29, 9:00 a.m.; Conference Room 411 & Videoconference

Aloha Chair Au Belatti, Vice Chair Coco Iwamoto, and Members of the Committee,

Mahalo for the opportunity to testify on HB353 relating to disaster preparedness. We **support the intent** of this measure, which is very similar to HB1056 submitted as a part of the Governor's package, which the CAT fully endorses. As the frequency and severity of hurricanes increase, it is imperative we provide residents with avenues to fortify their homes against wind damage. The proposed bill would allow residents to safely shelter in their homes during disasters, lessening strain on the state's disaster infrastructure.

We, the undersigned members of the Governor's Climate Advisory Team (CAT), support the intent of this bill. It aligns with the CAT's near-term recommendation to promote community resilience by fortifying Hawai'i's residential structures against wind damage, which we believe is critical to ensuring the health and safety of Hawai'i residents. For further information about the CAT's recommendations for community resilience, please refer to [Section 3.4.1 of our Policy Recommendations on Climate Disaster Resilience, Recovery and Funding](#).

Thank you for the opportunity to testify before your committee **in support of the intent** of HB353.

With aloha,

The Climate Advisory Team

HB-353

Submitted on: 1/27/2025 10:06:59 AM

Testimony for PBS on 1/29/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie Door	Hawaii Insurers Council	Support	In Person

Comments:

House Committee on Public safety

Hawai'i Insurers Council supports this bill. This bill provides grant monies for low-income residents to fortify their homes and condos against wind damage. We believe mitigation measures can reduce insurance risks and help to protect homes in high winds. Thank you for the opportunity to testify.

HB-353

Submitted on: 1/27/2025 8:23:49 PM

Testimony for PBS on 1/29/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Kioni Dudley	Individual	Support	Remotely Via Zoom

Comments:

HB353

We have roughly 187,000 wooden houses in the state. Most of them will not be able to withstand even a category 1 hurricane without strengthening. Apartments are another major problem. They weren't built to withstand hurricanes. Many will have most of their windows blown out. The purpose of this bill is to help struggling families to fortify their houses and apartments. It's true that we have another bill before the legislature that gives tax breaks to people to help them strengthen their homes and apartments. But tax breaks won't help people making only 80% of median income or less because they don't make enough money to fortify their houses. This bill would fund grant money for the less fortunate. Their homes will likely need more work to strengthen them too. So the grants would be for between \$25,000 and \$50,000. For people living in apartments, their problems will primarily be windows and sliding doors, so that amount is \$10,000. We do have windows and doors that will withstand 200 mph. winds available now. Condominium associations can apply for the funds for apartments owned by people making 80% of median income or less.

This is a really important bill because it is focused on helping struggling people among us. Please vote for it.