

Honolulu, Hawaii

FEB 13 2025

RE: S.B. No. 1570
S.D. 1

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

Sir:

Your Committees on Public Safety and Military Affairs and Transportation and Culture and the Arts, to which was referred S.B. No. 1570 entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Governor to declare a state of emergency and use emergency powers if air transportation service is unavailable, or foreseeably unavailable, to and from the island of Molokai or Lanai for longer than twenty-four hours;
- (2) Require the Department of Transportation to plan and design an expansion of the runway at Molokai Airport to accommodate larger aircraft; and
- (3) Appropriate funds.

Your Committees received testimony in support of this measure from the Department of Transportation; Moloka'i Drugs, Inc.; Kapualei Ranch; Rawlins Service Texaco; and seventeen individuals.

Your Committees received testimony in opposition to this measure from one individual.



Your Committees received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Hawai'i Emergency Management Agency, and one individual.

Your Committees find that the needs of the communities on Molokai and Lanai are not being met by the current commercial air carrier. This measure will allow for more aircrafts to land on Molokai thereby providing residents with greater transportation opportunities. Your Committees note the testimony provided by the Department of the Attorney General at the public hearing on this measure. According to the Department of the Attorney General, compelling the Governor to exercise emergency powers to address air transportation shortfalls affecting Molokai and Lanai violates the separation of powers doctrine. Additionally, the Governor currently has the authority to exercise emergency powers if air transportation shortages cause an emergency or disaster, or there is imminent danger or threat of an emergency or a disaster in any portion of the State.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have required the Governor to declare a state of emergency and use emergency powers if air transportation is unavailable to and from the islands of Molokai or Lanai for longer than twenty-four hours;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2077, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1570, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1570, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety and
Military Affairs and
Transportation and Culture and
the Arts,



CHRIS LEE, Chair



BRANDON J.C. ELEFANTE, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Culture and the Arts
TCA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1570	PSM/TCA, WAM	2-10-2025		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
KANUHA, Dru Mamo	✓			
DECORTE, Samantha	✓			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes