

Honolulu, Hawaii

FEB 11 2025

RE: S.B. No. 239
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 Government Operations and Public Safety
and Military Affairs, to which was referred S.B. No. 239 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to require all
public buildings, including public school buildings, constructed
after January 1, 2026, to be designed to withstand category five
hurricanes and be used as shelters in the event of an emergency.

Your Committees received testimony in support of this measure
from the Department of Corrections and Rehabilitation, Department
of Commerce and Consumer Affairs, and two individuals.

Your Committees received comments on this measure from the
Department of Education, Department of the Attorney General, and
Department of Accounting and General Services.

Your Committees find that climate change is contributing to
increasingly frequent and devastating natural disasters, of which
hurricanes pose an especially significant threat for our island
State. Improved emergency preparedness is paramount to mitigating
loss of life and successfully executing a swift recovery. This
measure addresses the need to prepare by requiring state buildings
constructed after January 1, 2026, to meet certain resiliency
criteria, thereby fortifying the State's infrastructure and



creating safer shelters for the public to take refuge in times of disaster.

Your Committees note the concern raised by the Department of Accounting and General Services that some public building construction projects currently under design have not been funded to include the structural requirements set forth in this measure, and will require supplemental appropriations for the additional design and construction costs needed to satisfy the required design criteria. Your Committees also note the Department's concern that there are some types of public buildings that are not intended to be used as emergency shelters, such as small storage facilities, vehicle carports, and similar incidental facilities, and therefore inappropriate to be subject to this measure's design requirements.

Accordingly, your Committees have amended this measure by:

- (1) Limiting the application of the design requirements to state buildings, rather than all public buildings:
 - (A) That are fully enclosed;
 - (B) That have the capacity to shelter a large population;
 - (C) That are intended to serve as shelters during and after a category five hurricane; and
 - (D) For which construction is anticipated to commence on or after July 1, 2026, rather than January 1, 2026.
- (2) Excluding correctional facilities, covered playgrounds, and sheds from the definition of "state buildings" within the context of the design requirement;
- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

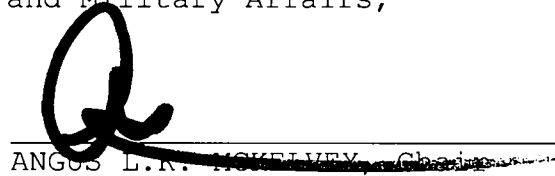


As affirmed by the records of votes of the members of your Committees on Government Operations and Public Safety and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 239, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 239, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Government
Operations and Public Safety
and Military Affairs,



BRANDON J.C. ELEFANTE, Chair



ANGUS L.R. MCELVEE, Chair



Record of Votes
Committee on Government Operations
GVO

*Only one measure per Record of Votes

Record of Votes
Committee on Public Safety and Military Affairs
PSM

*Only one measure per Record of Votes

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* <div style="font-size: 1.5em; font-family: cursive;">SB239</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">GVO/PSM, WAM</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">2-4-25</div>		
<input checked="" type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: <u>PASS WITH AMENDMENTS</u>				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input 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
MCKELVEY, Angus L.K. (C)	X			
GABBARD, Mike (VC)				X
MORIWAKI, Sharon Y.	X			
SAN BUENAVENTURA, Joy A.	X			
FEVELLA, Kurt				X
TOTAL	3	0	0	2
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; margin-top: 10px;"> </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