

STAND. COM. REP. NO. 230

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. MCFELIX, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* SB 239	Committee Referral: GVO/PSM, WAM	Date: 2.4.25
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

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: Adopted Not Adopted

Chair's or Designee's Signature: _____

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 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

***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.:* SB239	Committee Referral: GVO/PSM, WAM	Date: 2-4-25		
<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: <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
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: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
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