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**Testimony of the Department of Commerce and Consumer Affairs**

**Before the  
Senate Committee on Commerce & Consumer Protection**

**Tuesday, March 24, 2026  
9:35 a.m.**

**State Capitol, Conference Room 229 and via Videoconference**

**On the following measure:  
H.B. 20, H.D. 1, RELATING TO LAVA ZONE INSURANCE**

Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee:

My name is Scott K. Saiki, and I am the Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department respectfully opposes this measure.

H.B. 20, H.D. 1 establishes a Lava Zone Insurance Fund to subsidize homeowners' insurance premiums for low-income homeowners in Lava Zones 1 and 2 and appropriates general funds for that purpose.

While the Department recognizes the significant insurance affordability challenges faced by homeowners in high-risk volcanic hazard areas, H.B. 20, H.D. 1 raises significant regulatory, fiscal, and market concerns. The Department opposes the bill for the following reasons:

### **1. Diversion of Regulatory Funds and Legal Concerns**

The measure materially alters the statutory funding structure that supports the Department's regulatory operations. Specifically, section 2 on page 2, lines 19-21, redirects all penalties, fines, and charges under chapter 431, Hawaii Revised Statutes (HRS) away from the Compliance Resolution Fund and into the proposed Lava Zone Insurance Special Fund. These revenues support the Department's regulatory and enforcement functions. Redirecting these funds to support a premium subsidy program materially alters the purpose for which those regulatory penalties are collected.

Under *Hawaii Insurers Council v. Lingle*, 120 Haw. 51 (2008), the Hawaii Supreme Court addressed the constitutional limitations on diverting insurance-related regulatory assessments and funds to purposes unrelated to their regulatory function. The Court held that certain diversions of insurance-derived funds were impermissible. The proposed redirection of enforcement-derived revenues toward a subsidy program unrelated to regulatory oversight raises similar concerns and may expose the State to legal challenge.

### **2. Actuarial Soundness and Market Integrity**

Insurance premiums are based on risk, and Lava Zones 1 and 2 represent the highest volcanic hazard classifications. Subsidizing premiums for these properties distorts risk-based pricing, undermines actuarially sound rate structures, and may contribute to adverse selection by concentrating exposure in the highest-risk areas without a corresponding reduction in expected loss.

Importantly, premium subsidies do not reduce underlying volcanic risk, do not improve reinsurance conditions, and do not increase insurer willingness to write coverage in these areas. As a result, the measure may not improve market availability and instead shifts costs to the State without addressing the underlying drivers of premium levels.

### **3. Statewide Cost-Shifting**

The measure raises concerns regarding cost shifting through the Hawaii Property Insurance Association (HPIA), which currently serves as the insurer of last resort for properties in high-risk areas, including lava zones 1 and 2. HPIA is authorized under

HRS § 431:21-105 to assess any authorized property and casualty insurer if it lacks sufficient funds to pay claims.

As a result, losses associated with policies written in the lava zones may ultimately be distributed across the broader insurance market through insurer assessments, which may in turn be reflected in premiums paid by policyholders statewide. In this context, the proposed subsidy program may not eliminate or reduce overall system costs but instead operate in conjunction with an existing mechanism that spreads high-risk losses across all policyholders.

This raises important policy considerations regarding whether the combined effect of premium subsidies and post-event assessments results in a broader redistribution of risk and cost beyond the targeted population of lava zone homeowners.

#### **4. Precedent and statewide fiscal exposure.**

Establishing a premium subsidy for Lava Zones 1 and 2 may create policy precedent for similar requests involving other high-risk areas such as hurricane- and flood-exposed regions. Establishing a subsidy program for one category of risk may lead to requests for comparable programs across multiple perils, resulting in cumulative fiscal impacts to the State.

#### **5. Creation of a new program outside the Department's regulatory role.**

The bill would require the Department to establish and administer an entirely new program, including rulemaking, eligibility determinations, compliance monitoring, and program administration. These are new operational responsibilities outside the Department's current regulatory role and would require additional resources.

To be clear, this proposal will not solve the underlying insurance availability and affordability challenges in Lava Zones 1 and 2. Insurance premiums in these areas are high because the risk of catastrophic loss is extremely high and difficult to insure. Subsidizing premiums does not reduce the underlying hazard, does not lower expected losses, and does not increase insurer willingness to write coverage in the highest-risk areas. Instead, the measure would create ongoing State financial obligation without addressing the root causes of the problem.

The Department recognizes the challenges faced by homeowners in Lava Zones 1 and 2. However, H.B. 20, H.D. 1 raises serious concerns regarding actuarial integrity, fiscal sustainability, incentive effects and the diversion of enforcement revenues needed for the Division's core regulatory mission.

For these reasons, the Department respectfully opposes this measure. Thank you for the opportunity to testify.

## TESTIMONY OF LESLIE DOOR

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COMMITTEE ON COMMERCE AND CONSUMER PROTECTION  
Senator Jarrett Keohokalole Chair  
Senator Carol Fukunaga, Vice Chair

Tuesday, March 24, 2026  
9:35 a.m.

### **HB 20, HD1**

Chair Keohokalole, Vice Chair Fukunaga, and members of the Committee on Commerce and Consumer Protection, my name is Leslie Door, Director of Product, Risk & Regulatory Compliance for Zephyr Insurance Company and Property Chair for Hawaii Insurers Council. The Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately forty percent of all property and casualty insurance premiums in the state.

Hawaii Insurers Council (HIC) **opposes** this bill. This bill would create a special fund that would subsidize insurance premiums for properties in lava zones 1 and 2 for low-income households.

Although HIC appreciates the intent of this bill which is to assist low-income households, losses as a result from lava are a unique risk, unlike any other catastrophic insured risk such as wildfire, hurricane, earthquake, and flood. Each of these risks other than from lava can be mitigated in some way which would reduce losses from an unforeseen event. Losses from lava *cannot be mitigated*. There is *nothing* that can be done to reduce this risk except to refrain from building in or to move away from lava zones 1 and 2. Lava cannot be stopped or redirected by building a wall, digging a ditch, or by any other means. As a result, if lava comes close enough to a structure, it is *guaranteed to burn it*. This is a known risk, not an unforeseen event which is what insurance typically covers. Since Kilauea has been active for more than 40 years, it is not prudent for the state to subsidize this unique risk.

We believe Hawaii is the only state in the nation that has a mechanism, the Hawaii Property Insurance Association (HPIA) to insure losses because of lava. This affects every property and casualty insurance policy in the state including personal and commercial motor vehicle insurance policies, residential and commercial property, general liability, and workers' compensation, if the HPIA is unable to pay losses. Excess losses would be borne by those who purchase other forms of property and casualty insurance, most of whom have chosen not to live on an active volcano. This back-end assessment may constrict the entire property and casualty insurance market in Hawaii after a large loss that requires an assessment and in addition, may preclude other insurers from entering Hawaii.

For the above-mentioned reasons, we ask that you hold this bill.

Thank you for the opportunity to testify.

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 9:43:43 AM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Todd Reilly Sr	Individual	Support	Written Testimony Only

Comments:

Aloha

Please pass this important bill. The financial harm of the 500% increase in homeowners insurance is quite a strain on budgets. To afford the new "second mortgage" of insurance is causing me to hold off on necessary home repairs and dental care. Without this measure I may be forced to sell my home. This situation is untenable. Help

Mahalo

Todd Reilly Sr

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 9:57:45 AM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ann Wilson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I strongly oppose HB2030 HD2.

Although the bill is presented as a way to improve transportation affordability, it would do so by creating a new tax beginning in 2027. At a time when Hawaii residents are already struggling with some of the highest living costs in the nation, this is the wrong approach. Working families are already burdened by high housing costs, food prices, utility bills, and transportation expenses. Adding another tax will only make daily life harder for the very people lawmakers should be protecting.

This bill also raises serious fairness concerns. Many local residents cannot afford to purchase or lease new or newer electric, zero-emission, or plug-in hybrid vehicles, even with rebates. In practice, this means lower- and middle-income residents may end up helping fund incentives that primarily benefit those with greater financial means. That is not true affordability.

On islands like Hawai'i Island, where many people drive long distances for work, medical appointments, and basic necessities, reliable transportation is not optional. Policies that increase costs without offering realistic and accessible alternatives will place an even greater burden on rural and working communities.

Hawaii should pursue practical, equitable solutions that do not rely on creating new taxes during an already difficult economic time. I respectfully urge you to reject HB2030 HD2.

Mahalo for the opportunity to testify.

Ann M. Wilson

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 11:13:58 AM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
M. Eileen O'Hara	Individual	Support	Written Testimony Only

Comments:

Aloha Esteemed CPN Chair and Committee Members,

I am testifying in full support of HB20.

To begin with, Lava Zone 2 is huge encompassing nearly 30% of the land on the Big Island much of which is home to very large substandard subdivisions formed before and shortly after statehood. As such, these properties represent some of the only affordable land for low income and low to medium income households. While many of these subdivisions already lack good basic infrastructure and timely access to police, fire, and other essential services, to burden the residents with HPIA insurance premiums running, on average, 4-6 times the cost of a private sector home insurance premium is forcing residents to chose between being insured and feeding their families or buying much needed medicines. No private sector insurers have remained in the market to service these residential properties.

Especially now, as price inflation continues to spiral out of control for basic necessities like food and gas, and medical services being reduced at the federal level, it's essential that the State provide some relief for those residing in these lava zones.

As a resident of Lava Zone 2 for 46 years, I ask that you please pass this bill! I also ask that a similar HPIA program be introduced for commercial insurance since the lack thereof extremely impacts any efforts to spur economic development throughout these lava zones.

Mahalo for your consideration,

M. Eileen O'Hara, Ph.D., Resource Economist

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 12:01:22 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angelique Cahill	Individual	Support	Written Testimony Only

Comments:

This kind of support would be amazing in this low income area.

I watch my Mortgage go up every year because the rates of my insurance go up. There are people who live here who can't afford insurance at all and just pray for now disasters. I worry that I will be under insured, yet I can't afford to review or increase the insurance that is currently costing me over \$6K with a seperate policy for hurricane and volcano.

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 12:02:39 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Kari Sochor	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I strongly support HB20 and respectfully urge its passage.

HB20 addresses a clear breakdown in Hawai'i's insurance market. In lava zones, coverage is often denied or priced so high that it is effectively unavailable. This leaves responsible homeowners without access to a basic financial protection that most consumers rely on.

At its core, this is a consumer protection issue. **Residents are not opting out of insurance; they are being actively excluded from it.** When an entire group of homeowners cannot reasonably access coverage, it signals a market gap that the market alone cannot address. HB20 provides a targeted solution to restore access and fairness.

The lack of insurance also creates broader instability. Without coverage, homeowners are unable to secure financing, rebuild, or recover after loss. This not only harms individual families but also weakens communities and increases reliance on public systems after disasters. Ensuring access to insurance strengthens both consumer protection and long-term market stability.

Hawai'i has continuously experienced the consequences of this gap. The **2018 Kilauea eruption** destroyed more than **700 homes**, leaving many families without the means to recover financially. When insurance is unavailable, recovery is slower, displacement is longer, and the burden extends beyond individual households to the community and eventually to government programs, which are already overburdened.

I live in a lava zone, and during the 2018 eruption, I was also working as a security guard in my community. I witnessed families evacuate, homes being lost, and the uncertainty that followed, especially for those without insurance. That experience made it clear that access to insurance is not just a financial product, but a critical safeguard for stability and recovery.

HB20 is a reasonable and necessary step to address a known gap in the insurance market and to ensure that residents are not left without options simply because of where they live.

I respectfully urge the Committee to support HB20 and pass this measure.

Mahalo for your time and consideration.



**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 12:07:45 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerdine Markus	Individual	Support	Written Testimony Only

Comments:

I live in lava zone 2 in Nanawale in Puna. My property assessment is 26k. My home is a 2 bedroom, 1 bath 880 sq ft home built in 1988. My homeowners and hurricane insurance comes to 3000 a year. It would be great if that could be reduced. My mortgage company found this insurance for me when my insurance company pulled out of the market. This new insurance would cover the basics, but doesn't cover much for me like it did before with my old and cheaper insurance plan.

Please help the many of us just struggling to make ends meet. I'm a widow on just SS, 74 years of age and still having to work pt.

Thank you,

gerdine

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 1:11:31 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Steve Sparks	Individual	Support	Written Testimony Only

Comments:

I support the HB20 legislation because I live in Leilani and when I bought my home here 26 years ago I knew nothing about Lava Zones and was not told anything about Lava Zones.

I feel there is a necessary need for support from our government because they let all these subdivisions be developed and all these houses built in an area that they now say we shouldn't live. There should be a disclosure of all this information in all sales contracts.

The State of Hawaii should support all forms of insurance and should allow for past mistakes.

Please support HB20.

Thank you

Steve Sparks

**HB-20-HD-1**

Submitted on: 3/23/2026 1:56:52 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John Szura	Individual	Support	Written Testimony Only

Comments:

Since 2020 we were unable to get insurance through carriers and necessitated our purchasing HPIA insurance which is very expensive and increasing each year, However, the amount of the policy is insufficient to cover the replacement cost of our dwelling. Our mortgage company has been purchasing additional insurance and adding the cost to the loan amount. The cost is rapidly decreasing my retirement income.

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 3:07:56 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David S Davenport	Individual	Support	Written Testimony Only

Comments:

I'm testifying as a private citizen to strongly support the passage of HB20. Hawaii always shows up at or near the top of the most expensive states in the nation. Until the 2018 flow, the Puna district was a last refuge from very expensive land, and has attracted many new residents seeking to find affordable properties and homes where they can live and prosper.

However, the 2018 eruption made getting insurance in lava zones 1 and 2 very difficult and very costly. Paying the premiums is like having a second mortgage, and makes it tough to afford a home in the zone 1 and 2 areas.

In order to continue having a fast growing area that can attract hard working, good neighbors into staying or buying in Puna, the state should invest in funding HB20. We will all see a positive return in the resulting growth in lava zones 1 and 2 that will bring jobs and community development to Puna.

Mahalo! David Davenport

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 5:15:37 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Allen Moore	Individual	Support	Written Testimony Only

Comments:

**Our homeowners insurance has increased from approx \$900 in 2017 to over \$8000 now including Hurricane. For what is supposed to be an affordable housing area, this makes it totally unaffordable. We are already seeing and exodus of people leaving the area because of this increasing abandoned properties.**

**HPIA is not funded and has made it extremely hard to qualify even. at these extortionate rates.**

**If the county /state does not want people to live here then they need to start buying properties at market rate so we can move!**

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 5:52:55 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Julia Estigoy-Kahoonei	Individual	Support	Written Testimony Only

Comments:

Born and raised here in Hawaii, it was my husband's dream to move home after retirement. The only affordable area was here in Pāhoa, giving up the idea of returning to back to his childhood community in Nānākuli. The adjustment was easy because we could live comfortably. Then the shock came when our home insurance went up 1000 fold. On a fixed income were we expected to get a part time job just so we could afford the insurance? We would not have minded if it went up gradually but within a few months our insurance went from \$349 a year to over \$5300!!!! Luckily we could afford it because we are a two income household but I worried terribly for kupuna or the disabled living alone on a fixed income. Let's do more to care for our residents who have vested interest in being here. Please hear out this bill and show compassion for all of us who are already struggling to be here but we stay because we love this place

Thank you for your time

Julia and Gary Kaho'onei

Waiakahi'ula, Hawaii

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 5:55:20 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrea Rosanoff	Individual	Support	Written Testimony Only

Comments:

Today I just learned that my mortgage payment is increasing by 16% from last years monthly payment amount. Looks like I will be paying almost \$10,000.00 per year in insurance and property taxes. My property taxes are \$200 per year, so it is mainly from HPIA insurance of \$6778 per year, a rise of 18.4% of their premium for last year. And this is for only \$350,000 coverage for fire, etc., wind/hurricane not included. I am 81 years old, have lived here since 2003, I live on my social security. HPIA seems to be very intent upon charging us in Lava Zones 1 and 2 an excessive amount for insurance when our fire rates are really low. I hope you ask them what their payout to claims rate has been for Lava zones 1 & 2 for the past 5 years. My bet --- very low. HB20 needs to pass so that the community of Puna is not totally run over by people losing their homes to foreclosure because of the handling of insurance in our area since 2018 lava flow. Please help. This is a good first step before we all figure out how to live in the 21st century with homeownership being secure for a Hawaiian Middle Class and our Kapuna.

A. Rosanoff

Pahoa, HI 96778

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 7:00:32 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
MARILYN JOHNSON	Individual	Support	Written Testimony Only

Comments:

I support this bill because it allows low-income homeowners to be able to afford the rising costs of the HPIA insurance. This is the only insurance available for homeowners in Lava zone 1 and 2, unless the homeowner is one of the fortunate few people with a grandfathered policy from an agency that has not yet pulled out of the Lava Zone 1 and 2 market. I am one of those fortunate, having American Modern insurance since 2018 when Lloyds dumped my policy. But when will American Modern leave our market?

Without this bill, the risk is that people may lose their home to foreclosure because they cannot afford to pay for mandatory insurance. That is a terrible blow to a family that put their life savings into an affordable home, which are only found in Lava Zone 1-2 for low income Hawaiian households. The high price of insurance also makes it extremely hard to sell homes - and so the homeowner is too likely to lose their entire investment - solely due to the unpredicted massive increase in HPIA insurance premiums after the 2018 flow.

Please help the low-income homeowners who use HPIA as a last resort insurance provider to stay in their homes. These homeowners are the hardworking backbone of the Big Island economy who deserve to keep their residence after they found homeownership in reach.

Marilyn Johnson, Pahoa

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 7:10:27 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Leslie-Ann Salmon	Individual	Support	Written Testimony Only

Comments:

Dear CPN, As a resident of Nanawale (Lave Zone 2), my homeowner's insurance policy fee increased from \$1,400 a year to \$3,800 a year in 2024. As a retiree living on a small income, and with a mortgage, my monthly payment now exceeds 1/3 of my income. Major ouch! It would be financially devastating for me if my insurance costs increase any more. Any help in this area you may provide will be gratefully accepted. Some homeowners in Nanawale just boarded up their homes and left, as they could no longer afford the associated costs. Thank you for your time and attention.

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 8:31:42 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Debbie Evans	Individual	Support	Written Testimony Only

Comments:

As residents of Pahoehoe, HI my husband and I are continuing to deal with the nightmare of homeowners insurance following the 2018 eruption. Within one year of the eruption our initial insurance carrier decided not to offer homeowners insurance in Lava Zone 2, then we were forced to carry insurance through the HPIA, which doubled our mortgage payment. The following year we shopped around and thought we had found an alternative carrier but that only lasted two weeks before we were cancelled because the company decided it would not cover Lava Zone 2. After a huge hassle we were able to secure a carrier that was a little bit less costly than HPIA but not much. Today we received notice that our current company would only cover our property for 10% of their estimated value which will not satisfy the conditions of our mortgage and according to our insurance broker HPIA will be our only choice again. As kupuna, on a fixed income, having our mortgage payment double has caused a terrible strain on our finances. Another consequence of our increased mortgage is that if something would happen to my husband I will not be able to stay in our home. At our age this is very upsetting, especially since it was my dream to return home to Hawaii when we retired after a long absence. It is disconcerting that we have worked our whole lives to be able to live comfortably where we want to and now face that this might not be possible. We have been trying to pay extra on the mortgage to get it paid off, and be uninsured, but this is a challenge. We have discovered a whole other set of restrictions about making larger mortgage payments unless you are paying off the full balance. This is not the way we want to live out the rest of our lives, being held hostage by our homeowners insurance. Did I mention that we live 2 lots from the Lava Zone 3 boundary and at one time our property was in Lava Zone 3. Your consideration of subsidizing homeowners insurance until insurance companies do the right thing and offer insurance to all equally is greatly appreciated. Mahalo for your time and interest.

**LATE**

**HB-20-HD-1**

Submitted on: 3/23/2026 8:32:55 PM

Testimony for CPN on 3/24/2026 9:35:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ben L.	Individual	Oppose	Written Testimony Only

Comments:

The state should not be encouraging nor supporting building in lava zone 1. Just recently the government was reimbursing lava zone 1 properties that were destroyed by the 2018 eruption.

Don't throw tax dollars into the volcano. Vote no on this bill!!