



GOV. MSG. NO. 838

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

May 21, 2007

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fourth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 21, 2007, the following bill was signed into law:

SB1402 SD1 HD1 CD1

A BILL FOR AN ACT RELATING TO THE LOSS  
MITIGATION GRANT FUND.  
(ACT 080)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on MAY 21 2007

THE SENATE  
TWENTY-FOURTH LEGISLATURE, 2007  
STATE OF HAWAII

**ACT 080**

**S.B. NO.** 1402  
S.D. 1  
H.D. 1  
C.D. 1

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# A BILL FOR AN ACT

RELATING TO THE LOSS MITIGATION GRANT FUND.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 **PART I**

2 SECTION 1. During the special session of 2005, the  
3 legislature directed the department of defense to develop Hawaii  
4 public shelter and residential safe room design criteria. The  
5 legislature also amended the definition of "wind resistive  
6 devices" in section 431:22-101, Hawaii Revised Statutes, to  
7 include the safe room design criteria developed by the  
8 department of defense. The public shelter and residential safe  
9 room design criteria have been developed.

10 The purpose of this part is to encourage private  
11 construction of safe rooms by including residential safe rooms  
12 within the meaning of "wind resistive devices" and making them  
13 eligible for grants under the loss mitigation grant program.

14 SECTION 2. Section 431:22-101, Hawaii Revised Statutes, is  
15 amended by amending the definition of "wind resistive devices"  
16 to read as follows:

17 "Wind resistive devices" means devices [~~and~~], techniques,  
18 and residential safe rooms, as identified and determined in



1 accordance with section 431:22-104(b), that increase a  
2 building's or structure's resistance to damage from wind forces.  
3 ~~[The term shall also include safe rooms that are defined and~~  
4 ~~built pursuant to design standards of the department of~~  
5 ~~defense's civil defense division that are adopted pursuant to~~  
6 ~~chapter 91.] "~~

7 SECTION 3. Section 431:22-104, Hawaii Revised Statutes is  
8 amended by amending subsection (b) to read as follows:

9 "(b) Grants shall be awarded for the installation of the  
10 following:

- 11 (1) Uplift restraint ties at roof ridges and roof framing  
12 members to wall or beam supports;
- 13 (2) Additional fastening of roof sheathing and roof  
14 decking for high wind uplift;
- 15 (3) Impact and pressure resistant exterior opening  
16 protective devices; ~~[and]~~
- 17 (4) Wall to foundation uplift restraint connections  
18 strengthening for wood foundation posts on  
19 footings~~[-]~~; and
- 20 (5) Residential safe rooms.

21 The description, specifications, guidelines, and requirements  
22 for these wind resistive devices shall be further developed and



1 determined by the commissioner in the commissioner's sole  
2 discretion. The commissioner, in the commissioner's sole  
3 discretion, may amend, narrow, or expand the definitions,  
4 description, specifications, and requirements of the wind  
5 resistive devices."

6 **PART II**

7 SECTION 4. There is appropriated out of the loss  
8 mitigation grant fund the sum of \$2,000,000, or so much thereof  
9 as may be necessary for fiscal year 2007-2008, for the purposes  
10 of the loss mitigation grant program under chapter 431, article  
11 22, Hawaii Revised Statutes.

12 The sum appropriated shall be expended by the department of  
13 commerce and consumer affairs for the purposes of this Act.

14 **PART III**

15 SECTION 5. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 6. This Act shall take effect on July 1, 2007.

GOVERNOR OF THE STATE OF HAWAII

Approved this day: MAY 21 2007

