



EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

GOV. MSG. NO. **810**

July 6, 2006

The Honorable Robert Bunda, President  
and Members of the Senate  
Twenty-Third State Legislature  
State Capitol, Room 003  
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on July 6, 2006, the following bill was signed into law:

HB1706 HD3 SD1 CD1

A BILL FOR AN ACT RELATING TO  
THE UNIFORM ENVIRONMENTAL  
COVENANTS ACT.  
(ACT 279)

Sincerely,

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

LINDA LINGLE

HOUSE OF REPRESENTATIVES  
TWENTY-THIRD LEGISLATURE, 2005  
STATE OF HAWAII

**H.B. NO.** 1706  
H.D. 3  
S.D. 1  
C.D. 1

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# A BILL FOR AN ACT

RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT.

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

1           SECTION 1. The legislature finds that there has been a  
2 growing reliance on risk-based environmental cleanup of  
3 contaminated property when removal of contamination to  
4 unrestricted levels is infeasible, impracticable, or  
5 unnecessary. In such cases, certain controls are required to  
6 protect the public and the environment from the contamination  
7 that remains on the property. Currently, there exists no clear  
8 authority nor any process for ensuring that these controls  
9 remain valid and enforceable as the properties change ownership.

10           The purpose of this Act is to:

- 11           (1) Ensure that land use restrictions, environmental  
12           monitoring requirements, and common engineering  
13           controls designed to control the potential  
14           environmental risk of residual contamination are  
15           reflected in the land records and effectively enforced  
16           over time as a real property servitude; and
- 17           (2) Encourage the transfer of ownership of contaminated  
18           properties, and property re-use, by establishing a

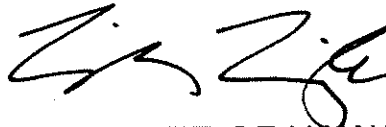


1 also contain any other information concerning environmental  
2 covenants and the real property subject to them that the  
3 department considers appropriate. The department shall make the  
4 registry available for public access electronically on its  
5 web-site or at another appropriate place. The registry is a  
6 public record for purposes of chapter 92F.

7 § -13 **Relation to Electronic Signatures in Global and**  
8 **National Commerce Act.** This chapter modifies, limits, or  
9 supersedes the federal Electronic Signatures in Global and  
10 National Commerce Act, 15 U.S.C. Section 7001 et seq.; provided  
11 that it shall not modify, limit, or supersede Section 101 of  
12 that Act, 15 U.S.C. Section 7001 (a), or authorize electronic  
13 delivery of any of the notices described in Section 103 of that  
14 Act, 15 U.S.C. Section 7003(b)."

15 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 6 day of JUL , 2006



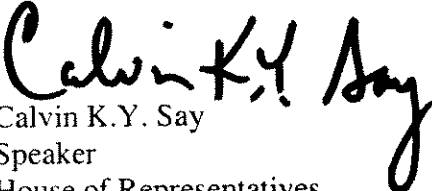
GOVERNOR OF THE STATE OF HAWAII

HB No. 1706 HD 3 SD 1 CD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2006  
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Calvin K.Y. Say  
Speaker  
House of Representatives




Patricia Mau-Shimizu  
Chief Clerk  
House of Representatives


THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006  
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Robert Bunda  
President of the Senate



Paul Kawaguchi  
Clerk of the Senate