

Honolulu, Hawaii

Feb 17, 2006

RE: H.B. No. 1706  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1706, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT,"

begs leave to report as follows:

The purpose of this bill is to establish the Uniform Environmental Covenants Act to:

- (1) Ensure that land use restrictions, environmental monitoring requirements, and common engineering controls will be reflected on land records; and
- (2) Encourage the transfer of ownership and property re-use by providing a process for creating, modifying, or terminating environmental covenants and recording actions that will be reflected in the title abstract of the contaminated property.

The Department of Health (DOH) and Commission to Promote Uniform Legislation testified in support of this bill. The Land Use Research Foundation of Hawaii did not support this measure. The University of Hawaii Environmental Center offered comments.

Your Committee respectfully requests the Committee on Finance to further discuss the necessity of the new positions created within DOH in section 3 of this measure.

HB1706 HD2 HSCR JUD HMS 2006-1892



Your Committee has amended this bill by:

- (1) Replacing the Bureau of Conveyances with the Registrar of Conveyances for recordation purposes to ensure that Land Court property is also included;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1706, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1706, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
Sylvia Luke, Chair



