

STAND. COM. REP. NO.

509

Honolulu, Hawaii

February 15, 2013

RE: H.B. No. 111
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 111, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SUSTAINABLE ALTERNATIVE BUILDING CODE,"

begs leave to report as follows:

The purpose of this measure is to permit the development of sustainable living research sites that shall be exempt from certain state and county regulations but shall remain subject to county approval and oversight in order to stimulate research and development of sustainable living ideas, concepts, and innovations.

Hawaii Sustainable Communities Alliance, Backpackers Farming Network, La'akea Permaculture Education Programs, Koa'e Community Association, Doorway Into Light, VGS, Hawaii Appleseed Center for Law and Economic Justice, Root and Rise, and numerous individuals testified in support of this measure. The Office of Hawaiian Affairs, Department of Planning and Permitting, and several individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying within the definition of "sustainable living research permit" that the permit is issued by the planning department;

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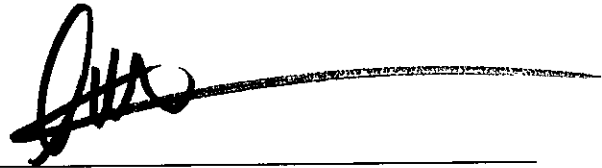


- (2) Amending the definition of "sustainable living research site" to add requirements for size and compliance with the county permit, federal laws, and federal regulations;
- (3) Specifying that the planning department has the discretion to assess an application fee;
- (4) Requiring the planning department to forward a copy of a complete application to the Department of Health within ten days of receipt of the application;
- (5) Requiring the Department of Health to submit comments to the planning department within thirty days of receipt of an application regarding the proposed sustainable research site and to make a determination as to whether the sustainable living research proposed will have a detrimental impact on the proposed research site or surrounding area;
- (6) Requiring the Department of Health to determine whether it is appropriate to grant the applicant a waiver of certain county waste water regulations;
- (7) Specifying that the sustainable living research permit process shall not allow the permittee to avoid preparing an environment assessment or environmental impact statement where such statement or assessment is otherwise required by law;
- (8) Specifying that the planning department of each county may adopt rules pursuant to chapter 91 regarding the issuance of permits pursuant to this measure;
- (9) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (10) Making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 111, 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. 111, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



