

STAND. COM. REP. NO.

348

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 988

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Agriculture and Environment, to which was referred S.B. No. 988 entitled:

"A BILL FOR AN ACT RELATING TO EXEMPTION FOR AGRICULTURAL BUILDINGS AND STRUCTURES,"

beg leave to report as follows:

The purpose and intent of this measure is to clarify procedures for an exemption and establish those agricultural buildings, structures, and appurtenances excluded from building permit and building code requirements under section 46-88, Hawaii Revised Statutes, and pursuant to the requirements of the National Flood Insurance Program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Hawaii Emergency Management Agency; Office of the Mayor of the County of Hawai'i; County of Hawai'i Department of Public Works; Department of Emergency Management for the City and County of Honolulu; Department of Planning and Permitting for the City and County of Honolulu; Hawai'i Association of REALTORS; Hawaii Bankers Association; Hawaii Financial Services Association; Hawaii Insurers Council; Hawaii Independent Insurance Agents Association; Mortgage Bankers Association; and six individuals. Your Committees received testimony in opposition of this measure from one individual. Your Committees received comments on this measure from the Department of Agriculture and Hawaii Aquaculture and Aquaponics Association.

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Your Committees find that it essential that building code and building permit requirements comply with the requirements of the National Flood Insurance Program as administered by the Federal Emergency Management Agency. Failure to maintain compliance with the program's requirements could result in the Federal Emergency Management Agency initiating suspension procedures throughout the State, which could lead to the loss of National Flood Insurance Program insurance coverage and impact eligibility for certain federal disaster assistance. Certain aspects of the building code and permit requirement statutes have allowed for some agricultural buildings, structures, and appurtenances to fall outside the National Flood Insurance Program requirements. Accordingly, this measure:

- (1) Requires an owner or occupier intending to utilize the exemption to the building code and permit requirements under section 46-88, Hawaii Revised Statutes, to provide written notice to the appropriate county agency of the size, type, and location of the proposed building;
- (2) Requires the appropriate county agency to determine that a building permit is not necessary to comply with local, state, and federal floodplain management development standards, or National Flood Insurance Program regulations; and
- (3) Establishes that section 46-88, Hawaii Revised Statutes, does not exempt any new or existing agricultural buildings, structures, related appurtenances, or other development from local, state, or federal floodplain management development standards, ordinances, codes, statutes, rules, or regulations pursuant to National Flood Insurance Program requirements.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 988 and recommend that it pass Second Reading and be referred to your Committees on Judiciary and Labor and Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Agriculture and
Environment,



MIKE GABBARD, Chair



CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

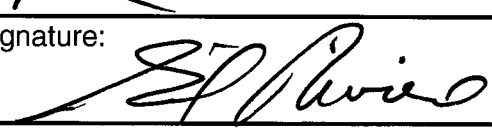
Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 988	Committee Referral: PSM/AEN, JDL/WAM	Date: 7/8/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
IHARA, Jr., Les				
THIELEN, Laura H.	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 988	PSM/AEN, JDL/WAM	2/8/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RIVIERE, Gil (VC)	X			
NISHIHARA, Clarence K.	X			
RHOADS, Karl				X
RUDERMAN, Russell E.				X
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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