

Honolulu, Hawaii

MAR 28 2018

RE: S.R. No. 52
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs, Economic Development, Tourism, and Technology, and Commerce, Consumer Protection, and Health, to which was referred S.R. No. 52 entitled:

"SENATE RESOLUTION URGING EACH COUNTY TO DEVELOP AND ADMINISTER A PERMITTING SYSTEM FOR NON-PERMITTED OWNER-OCCUPIED TRANSIENT VACATION UNITS AND A LAND USE AMNESTY PROGRAM TO WAIVE OUTSTANDING LIABILITIES FOR ILLEGAL TRANSIENT VACATION UNITS THAT OBTAIN A PERMIT BY A CERTAIN DATE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Urge each county in the State to develop and administer a permitting system for non-permitted, owner-occupied transient vacation units and a land use amnesty program to waive outstanding liabilities for illegal transit vacation units; and
- (2) Urge each county to publicize the permitting system and land use amnesty program to maximize public awareness and encourage participation in the program and to contract with appropriate advertising agencies to accomplish this goal.



Your Committees received testimony in opposition to this measure from Keep It Kailua and three individuals. Your Committees received comments on this measure from the Office of Hawaiian Affairs and Department of Planning and Permitting, City and County of Honolulu.

The Hawaii Tourism Authority estimates that there are 2,177 transient vacation rentals in the State that are advertised online. Your Committees find that existing laws and ordinances allow transient vacation units to operate in resort districts; however, the counties are seeking options to authorize owner-occupied units outside of resort districts to continue operating as short-term rentals. A county permitting program may encourage owners of transient vacation units to register their properties for short-term rental use and comply with relevant laws and ordinances.

Your Committees note the concern raised by members of your Committees regarding the potential for a county permitting system to grant owners of unpermitted transient vocational rentals a status of government-sanctioned legality or permission. Members of your Committees offered suggestions to request the counties to establish a reporting hotline or conduct an investigation in lieu of developing a permitting system or to request the counties to grant permits only after establishing standards for issuing permits, such as criteria based on the transient vacation unit capacity of each community. Your Committees request your Committee on Ways and Means to further consider and weigh these issues and suggested options.

Your Committees have amended this measure by:

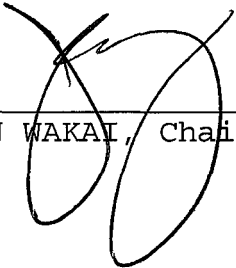
- (1) Deleting language referencing the development and administration of a land use amnesty program to waive outstanding liabilities for transient vacation units; and
- (2) Amending its title in accordance with its amended purpose.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs, Economic Development, Tourism, and Technology, and



Commerce, Consumer Protection, and Health that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 52, as amended herein, and recommend that it be referred to your Committee on Ways and Means, in the form attached hereto as S.R. No. 52, S.D. 1.

Respectfully submitted on behalf of the members of the Committees on Public Safety, Intergovernmental, and Military Affairs, Economic Development, Tourism, and Technology, and Commerce, Consumer Protection, and Health,



GLENN WAKAI, Chair



CLARENCE K. NISHIHARA, Chair



ROSALYN H. BAKER, 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.:* SR 52	Committee Referral: PSM/ETT/CPH, WAM	Date: 3/28/18		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" 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	2	0
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
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 State of Hawai'i

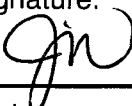
Record of Votes
Committee on Economic Development, Tourism, and Technology
ETT

Bill / Resolution No.:* SR 52	Committee Referral: PSM/ETT/OPH, WAM	Date: 3/28/19		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	-			
TANIGUCHI, Brian T. (VC)				-
BAKER, Rosalyn H.	/			
GALUTERIA, Brickwood	/			
THIELEN, Laura H.			/	
TOTAL	3	0	1	1
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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The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:* SR 52	Committee Referral: PSM/ETT/CPH, WAM	Date: 7/28/18		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	—			
TOKUDA, Jill N. (VC)	—			
CHANG, Stanley			—	
ESPERO, Will		—		
IHARA, Jr., Les	—	—	—	
NISHIHARA, Clarence K.	—			
RUDERMAN, Russell E.			—	
TOTAL	3	1	3	
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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