

STAND. COM. REP. NO.

1089

Honolulu, Hawaii

MAR 0 1 2019

RE: S.B. No. 975
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Ways and Means and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 975, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COUNTY LAND USE REQUIREMENTS,"

beg leave to report as follows:

The purpose and intent of this measure is to make certain amendments relating to land use.

Specifically, this measure:

- (1) Requires that if any parcel of land of a planned community association is subdivided as a condominium property regime in agricultural or preservation lands within a county with a population of seven hundred fifty thousand or more, the owner of the parcel shall provide public notification of the sale no later than ninety days after the sale of the parcel;
- (2) Specifies that residential use of storage sheds or similar structures shall not be permitted, and any violation shall be subject to county enforcement authority;



- (3) Prohibits residential development on lands currently in preservation zoning districts within a county with a population of seven hundred fifty thousand or more;
- (4) Authorizes any county with a population of seven hundred fifty thousand or more to adopt ordinances governing condominium property regimes; and
- (5) Provides that an application for a registration of a condominium project within a county with a population of seven hundred fifty thousand or more may also include comments on the availability of supportive infrastructure, the potential impact on environmental resources, and other requirements of county ordinances and rules.

Your Committees received written comments in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu and the Land Use Research Foundation of Hawaii.

Your Committees received written comments on this measure from the Department of Agriculture, Land Use Commission, Office of Planning, and one individual.

Your Committees recognize the challenges within the State regarding the regulation of residential uses of lands under condominium property regimes in the state agricultural and preservation districts. Your Committees find that this measure attempts to address those challenges and help protect the State's agricultural and preservation lands from being developed for other purposes.

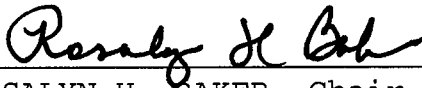
Your Committees have amended this measure by:

- (1) Inserting language that requires the declaration in a condominium project developer's public report to specify that the project is in compliance with section 205-4.5(f), Hawaii Revised Statutes; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.



As affirmed by the records of votes of the members of your Committees on Ways and Means and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 975, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 975, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Ways and Means
and Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair

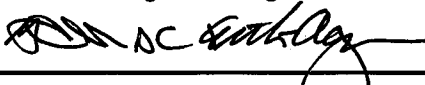


DONOVAN M. DELA CRUZ, Chair



The Senate
Thirtieth Legislature
State of Hawai'i


Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB975, SD 1	Committee Referral: AEN, WAM/CPH	Date: 2/25/19		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene				X
INOUYE, Lorraine R.				X
KAHELE, Kaiali'i	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.				X
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
TOTAL	10			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				

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
SB975 SD1	AEN, WAM/CPH	2/25/19		
<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
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
KEOHOKALOPE, Jarrett	✓			
NISHIHARA, Clarence K.	✓			
RUDERMAN, Russell E.				✓
THIELEN, Laura H.	✓			
FEVELLA, Kurt	✓			
TOTAL	6			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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