

STAND. COM. REP. NO.

1038

Honolulu, Hawaii

MAR 1 - 2019

RE: S.B. No. 1339
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 Judiciary and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 1339, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS,"

beg leave to report as follows:

The purpose and intent of this measure is to require a vulnerable coastal property purchaser statement with the sale or transfer of vulnerable coastal real property.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Reef and Ocean Coalition, Sierra Club of Hawai'i, and two individuals. Your Committees received testimony in opposition to this measure from the Hawai'i Association of REALTORS. Your Committees received comments on this measure from the Building Industry Association of Hawaii.

Your Committees find that when the shoreline migrates landward, or mauka, due to erosion or sea level rise, the dividing line between public and private ownership also migrates mauka, with a reduction in the area under private ownership. Your Committees further find that obtaining a permit to repair or install shoreline protection structures such as seawalls, revetments, geotextile sandbags, or groins may be difficult due to

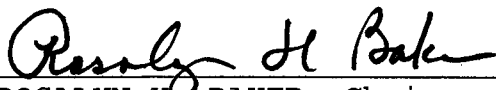


federal and state coastal management policies, which protect coastal natural resources and shoreline public access, and discourage coastal hardening. This measure will ensure that new property owners understand the risks posed by sea level rise and other special hazards, permitting requirements, and limitations that may affect vulnerable coastal property by requiring a vulnerable coastal property purchaser statement with the sale or transfer of vulnerable coastal real property.

Your Committees have amended this measure by linking the definition of "vulnerable coastal property" directly to the sea level rise exposure area as officially designated by the Hawaii Climate Change Mitigation and Adaptation Commission rather than limit it to real property within a two-foot sea level rise exposure area.

As affirmed by the records of votes of the members of your Committees on Judiciary 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. 1339, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1339, S.D. 2.

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



ROSALYN H. BAKER, Chair




KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i


Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1339, SD1	WTL JDC/CPH	2/27/19		
<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
RHOADS, Karl (C)	/			
WAKAI, Glenn (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
FEVELLA, Kurt	/			
TOTAL	5			
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

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SB 1339, SDI	WTL, JDC/CPH	2/27/19		
<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)	X			
CHANG, Stanley (VC)				X
KEOHOKALOLE, Jarrett	X			
NISHIHARA, Clarence K.				X
RUDERMAN, Russell E.				X
THIELEN, Laura H.	X			
FEVELLA, Kurt	X			
TOTAL	4			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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