

STAND. COM. REP. NO. 284 -22

Honolulu, Hawaii

FEB 15 , 2022

RE: H.B. No. 1436  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1436 entitled:

"A BILL FOR AN ACT RELATING TO DEVELOPMENT RIGHTS,"

begs leave to report as follows:

The purpose of this measure is to expand the authority of the counties to regulate the transfer of development rights to protect areas vulnerable to sea level rise, coastal erosion, storm surge, and flooding, thereby facilitating the potential movement of development away from at-risk areas to locations more appropriate for development.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and one member of the Maui County Council.

Your Committee finds that this measure adds an important voluntary tool to the range of tools that are needed to better manage vulnerable coastal and low-lying lands and avoid loss of life and property due to the hazards posed by climate change.

Your Committee has amended this measure by:

2022-1210 HB1436 HD1 HSCR HMSO



- (1) Amending section 46-161, Hawaii Revised Statutes, to codify the legislative intent and purpose of this measure;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1436, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1436, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,



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DAVID A. TARNAS, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature

**HSR 284-22**

**Record of Votes of the Committee on Water & Land**

<b>Bill/Resolution No.:</b> HB1436	<b>Committee Referral:</b> WAL, CPC	<b>Date:</b> 2/8/2022		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. BRANCO, Patrick Pihana (VC)	✓			
3. GANADEN, Sonny	✓			
4. KOBAYASHI, Bertrand	✓			
5. KONG, Sam Satoru	✓			
6. MORIKAWA, Dee	✓			
7. OHNO, Takashi	✓			
8. McDERMOTT, Bob				✓
<b>TOTAL (8)</b>	<b>7</b>			<b>1</b>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee     Duplicate (Yellow) – Chief Clerk's Office     Duplicate (Pink) – HMSO				