

Honolulu, Hawaii

February 8, 2019

RE: H.B. No. 565

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection, to which was referred H.B. No. 565 entitled:

"A BILL FOR AN ACT RELATING TO DISCLOSURE OF COASTAL HAZARDS,"

beg leave to report as follows:

The purpose of this measure is to establish disclosure requirements for the sale of residential real property within a sea level rise exposure area. Specifically, this measure:

- (1) Requires delivery of a vulnerable coastal property statement that discloses risks posed by sea level rise and other coastal conditions to the buyer; and
- (2) Makes the location of a residential real property within the sea level rise exposure area a material fact that must be included in statutorily mandated seller disclosures for real property transactions.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawaii, Sierra Club of Hawai'i, Hawai'i Reef and Ocean Coalition, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and three individuals. Your Committees received



testimony in opposition to this measure from the Hawai'i Association of REALTORS. Your Committees received testimony commenting on this measure from the Office of Planning, The Chamber of Commerce Hawaii, and Building Industry Association of Hawaii.

Your Committees have amended this measure by:

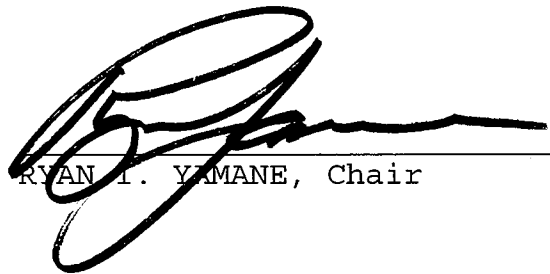
- (1) Amending the disclosure language that shall be included in the vulnerable coastal property statement;
- (2) Changing its effective date to July 1, 2050 to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Hawaiian Affairs and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 565, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 565, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, &
Hawaiian Affairs and Energy &
Environmental Protection,



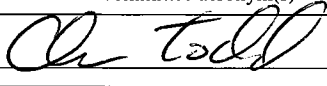
NICOLE E. LOWEN, Chair



RYAN T. YAMANE, Chair



Record of Votes of the Committee on Water, Land, & Hawaiian Affairs

Bill/Resolution No.: HB 565	Committee Referral: WLH/EEP, CPC, FIN	Date: 02/06/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <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)				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. TODD, Chris (VC)	✓			
3. HAR, Sharon E.				✓
4. LOWEN, Nicole E.	✓			
5. TARNAS, David A.	✓			
6. WILDBERGER, Tina	✓			
7. THIELEN, Cynthia				✓
TOTAL (7)	5	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: HB 565	Committee Referral: WLH/EEP, CPC, FIN	Date: 2.6.19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <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)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. LOWEN, Nicole E. (C)	✓			
2. WILDBERGER, Tina (VC)	✓			
3. HAR, Sharon E.				✓
4. TARNAS, David A.	✓			
5. TODD, Chris	✓			
6. YAMANE, Ryan I.	✓			
7. THIELEN, Cynthia				✓
TOTAL (7)	5	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u> <i>Tina Wilkerson</i> </u>				
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