STAND. COM. REP. NO. 33912

Honolulu, Hawaii

APR - 6 2006

RE:

H.B. No. 1706

H.D. 3

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 1706, H.D. 3, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT,"

begs leave to report as follows:

The purpose of this measure is to provide for environmental covenants for contaminated property to ensure long-term compliance with requirements needed to protect the public and environment when complete removal of contaminants is not feasible, practical, or necessary.

Your Committee received testimony in support of this measure from the Department of Health, the Commission to Promote Uniform Legislation, and the Land Use Research Foundation. The Department of the Army's Western Regional Environmental Office and Hawaiian Electric Company and its subsidiaries submitted comments on this measure.

Your Committee finds that this measure establishes a process for creating and tracking environmental covenants and provides enforcement authority to assure that owners of contaminated property observe the required management controls placed on the property by the Department of Health.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to



this report, your Committee is in accord with the intent and purpose of H.B. No. 1706, H.D. 3, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HAJABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:*	Committee Referral:	Date:	Date:	
HB 1706 HD3, SD1	EIA, JHW	•	4-5-06	
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:				
The Recommendation is to:				
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)	✓			
HEE, Clayton (VC)				V
CHUN OAKLAND, Suzanne			- Committee and the committee of the com	
ENGLISH, J. Kalani				
IHARA, Jr., Les				V
WHALEN, Paul				
	And Transport of the State of t			
TOTAL	4		0	γ
Recommendation: Adopted Not Adopted				
Chair's or Designee's Signature: Thramb Chun Clarkland				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

^{*}Do <u>not</u> list more than one measure per Record of Votes.