

STAND. COM. REP. NO.

632

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1259
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 1259, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE,"

begs leave to report as follows:

The purpose of this measure is to provide consistency between federal and state environmental liability laws in setting forth the conditions and circumstances under which an innocent contiguous property owner or a "bona fide prospective purchaser" shall not be held liable for damages and costs related to the contamination of real property not owned or operated by the property owner or purchaser.

This measure would promote the development and reuse of contaminated properties by providing relief to bona fide purchasers and innocent contiguous property owners from liability for hazardous substance pollution or contamination.

Your Committee has amended this measure by making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1259, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1259, S.D. 2.

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Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,



BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* SB 1259, SD1	Committee Referral: ENE, JGO	Date: 2/26/09		
<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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			✓
SLOM, Sam	✓			
TOTAL	4	0	0	2
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**