

STAND. COM. REP. NO.

953

Honolulu, Hawaii

MAR 22 2017

RE: H.B. No. 1418
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Agriculture and Environment, to which was referred H.B. No. 1418 entitled:

"A BILL FOR AN ACT RELATING TO LAND,"

beg leave to report as follows:

The purpose and intent of this measure is to amend the county exemptions from building permit and building code requirements to ensure that Hawaii's communities are not suspended from participation in the National Flood Insurance Program.

Your Committees received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Agriculture; Department of Land and Natural Resources; Hawaii Emergency Management Agency; Department of Planning and Permitting for the City and County of Honolulu; American Council of Engineering Companies of Hawaii; Hawai'i Association of REALTORS; Hawaii Bankers Association; Hawaii Cattlemen's Council, Inc.; Hawaii Farm Bureau; Hawaii Financial Services Association; Hawaii Independent Insurance Agents Association; Hawaii Insurers Council; Hawaii Credit Union League; Ponoholo Ranch Limited; and one individual.

Your Committees find that it essential that state laws establishing building code and building permit requirements comply with the requirements of the National Flood Insurance Program as



administered by the Federal Emergency Management Agency. Failure to maintain compliance with the program's requirements could result in the Federal Emergency Management Agency initiating suspension procedures throughout the State, which could lead to the loss of National Flood Insurance Program insurance coverage and impact eligibility for certain federal disaster assistance. Certain aspects of the building code and permit requirement statutes have allowed for some agricultural buildings, structures, and appurtenances to fall outside the National Flood Insurance Program requirements. Accordingly, this measure:

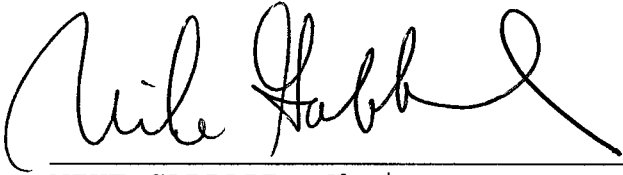
- (1) Requires an owner or occupier intending to utilize the exemption to the building code and permit requirements under section 46-88, Hawaii Revised Statutes, to provide written notice to the appropriate county agency of the final as-built size, type, and location of the proposed building;
- (2) Adds new definitions for "development" and "dwelling" under section 46-88, Hawaii Revised Statutes;
- (3) Amends the definition of "agricultural building" under section 46-88, Hawaii Revised Statutes, to include development;
- (4) Requires the appropriate county agency to determine that a building permit is not necessary to comply with local, state, and federal floodplain management development standards, or National Flood Insurance Program regulations in order for work on the building to commence; and
- (5) Establishes that section 46-88, Hawaii Revised Statutes, does not exempt any new or existing agricultural buildings, structures, related appurtenances, or other development from local, state, or federal floodplain management development standards, ordinances, codes, statutes, rules, or regulations pursuant to National Flood Insurance Program requirements.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Agriculture and Environment that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1418, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1418, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Agriculture and
Environment,



MIKE GABBARD, Chair

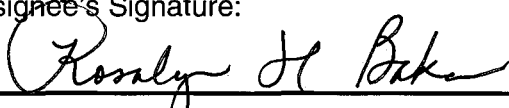


CLARENCE K. NISHIHARA, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i


Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1418	PSM/AEN, CPH	3-17-17		
<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 checked="" 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
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)				✓
BAKER, Rosalyn H.	✓			
IHARA, Jr., Les	✓			
THIELEN, Laura H.	✓			
TOTAL	4	-	-	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Agriculture and Environment
AEN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1418	PSM/AEN, CPH	3/17/17		
<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
GABBARD, Mike (C)	X			
RIVIERE, Gil (VC)	X			
NISHIHARA, Clarence K.	X			
RHOADS, Karl	X			
RUDERMAN, Russell E.	X			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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