

Honolulu, Hawaii

March 17, 2006

RE: S.B. No. 2406
S.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Economic Development & Business Concerns,
to which was referred S.B. No. 2406, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PERMIT APPROVALS,"

begs leave to report as follows:

The purpose of this bill is to improve the permit-approval process by providing that a delay by a board or commission in granting or denying an application for business- or development-related permits, licenses, or approvals within a set period of time shall not automatically result in the approval of that application if the delay was caused by the lack of quorum, a tie vote, or other vote with less than a majority of the full membership of the board or commission voting to approve the application.

The County of Hawaii Planning Department, Conservation Council for Hawaii, and Sierra Club-Hawaii Chapter, testified in support of this bill. Hawaii Reserves, Inc., Hawaii Association of Realtors, Hawaii Building and Construction Trades Council, AFL-CIO, and Land Use Research Foundation of Hawaii opposed this measure.

Opponents of this bill testified that the automatic approval provision provides timeliness and certainty in the permitting process. On the other hand, supporters of this bill argued that applications should not be decided by an inconclusive vote or by default.



As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2406, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Development & Business
Concerns,



J. RIKI KARAMATSU, Chair



