

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 3098
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 3098, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HARBORS,"

begs leave to report as follows:

The purpose of this measure is to change the boundaries of the Kakaako Community Development District by deleting the areas comprising piers 1 and 2 and the contiguous backup fast lands that serve as a foreign cargo container yard and transferring the lands to the Department of Transportation, Harbors Division.

Your Committee finds that the foreign cargo container yard capacity will be exhausted within five years. The area used for foreign cargo containers was already reduced with the development of the passenger cruise ship terminal as part of pier 2. However, it was brought to the attention of your Committee that the area that is being deleted from the Kakaako Community Development District to be transferred to the Department of Transportation also contains the foreign-trade zone under the direction of the Department of Business, Economic Development, and Tourism.

Accordingly, your Committee has amended this measure by:

- (1) Directing the Hawaii Community Development Authority to transfer the lands in question to the Department of Land and Natural Resources;



- (2) Directing the Governor to set aside the areas:
 - (A) Presently containing the foreign-trade zone to the Department of Business, Economic Development, and Tourism; and
 - (B) Presently used as pier 1 and 2 and the backup foreign cargo container yard to the Department of Transportation;
- (3) Clarifying the jurisdiction and administrative authority of Department of Business, Economic Development, and Tourism over the lands presently containing the foreign-trade zone; and
- (4) Making technical nonsubstantive changes for clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3098, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3098, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Ways and Means
(Bills and Resolutions)

Measure:* SB 3098 SD1	Committee Referral: WLA/TGO, WAM	Date: 3/1/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <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	Ayes	Ayes(WR)	Nays	Excused
TANIGUCHI, Brian T. (C)	✓			
TSUTSUI, Shan S. (VC)	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will				✓
FUKUNAGA, Carol	✓			
HOOSER, Gary L.	✓			
INOUE, Lorraine R.	✓			
KANNO, Brian	✓			must
KIM, Donna Mercado	✓			
KOKUBUN, Russell S.	✓			
NISHIHARA, Clarence K.	✓			
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
SLOM, Sam	✓			
TRIMBLE, Gordon	✓			
TOTAL	13 ST	0	0	3 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				

*Do not list more than one measure per Record of Votes.