

Honolulu, Hawaii

FEB 14 2007

RE: S.B. No. 1515
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Transportation and International Affairs,
to which was referred S.B. No. 1515 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF
TRANSPORTATION, "

begs leave to report as follows:

The purpose of this measure is to raise the fine from \$10,000 to \$27,500 for each violation of the State's harbors law (chapter 266, Hawaii Revised Statutes), any administrative rule adopted thereunder, or any lawful command of any harbor master, harbor agent, or harbor district manager.

Your Committee received testimony in support of this measure from the Department of Transportation.

Your Committee finds that the current fine of \$10,000 needs to be raised to \$27,500, the amount that federal environmental laws impose for fines by landowners for violations of its environmental regulations. As the landowner of harbor facilities and lands, the Department of Transportation may be held liable by the federal government for the violation of federal environmental laws committed by harbor users or tenants. Your Committee also finds that the measure will allow for a full recovery of fines imposed on the Department of Transportation, as the landowner, for violations of federal and state air and water pollution laws committed by harbor users and tenants.



Your Committee has amended this measure by making technical, nonsubstantive amendments for purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1515, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1515, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
International Affairs,




J. KALANI ENGLISH, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
 Committee on Transportation and International Affairs
 TIA

Bill / Resolution No.:* SB 1515	Committee Referral: TIA, WAM	Date: 2/12/07		
<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
ENGLISH, J. Kalani (C)	✓			
INOUE, Lorraine R. (VC)	✓			
ESPERO, Will	✓			
HOOSER, Gary L.				✓
TANIGUCHI, Brian T.				✓
TSUTSUI, Shan S.	✓			
GABBARD, Mike	✓			
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes