

STAND. COM. REP. NO.

3405

Honolulu, Hawaii

APR 04 2008

RE: H.B. No. 2263

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committees on Energy and Environment and Transportation and International Affairs, to which was referred H.B. No. 2263 entitled:

"A BILL FOR AN ACT RELATING TO HARBORS,"

beg leave to report as follows:

The purpose of this measure is to limit noise emanating from vessels using state harbors by allowing the Director of Transportation (DOT) to adopt rules regulating harbor noise.

Testimony in support of this measure was submitted by Downtown Neighborhood Board No.13 and three private citizens.

Your Committees find that as working harbors, many of Hawaii's harbors produce large amounts of noise. While the DOT currently has the authority to adopt rules regulating the manner in which vessels may enter and moor, anchor, or dock in the commercial harbors, ports, and roadsteads, this authority may not be specific enough to allow the DOT to adopt rules that regulate excessive and harmful noises emanating from these vessels. Your Committees find that granting the DOT this authority will help alleviate the concerns of individuals affected by the noise from Hawaii's harbors.

In addition, your Committees have considered and agreed to amend this measure by:

(1) Designating section 1 of the measure as part I; and

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- (2) Adding as part II of the measure, an amendment to section 291-36, Hawaii Revised Statutes, to exempt from scaling any vehicles used in transshipping neighbor island bound cargo directly between piers in Honolulu Harbor, and any activities limited to crossing a public road, street, or highway within the State at locations approved by the Director of Transportation, in the case of state highways, or the county engineer, in the case of county roads and streets.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Transportation and International Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2263, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2263, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Energy and
Environment and Transportation
and International Affairs,



J. KALANI ENGLISH, Chair

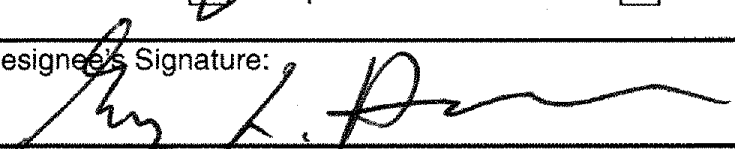


RON MENOR, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Energy and Environment
ENE

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|--|---------------------------------------|------------------------|-----|---------|
| Bill / Resolution No.:* HB 2263 | Committee Referral: ENE/TIA | Date: 4/1/08 | | |
| <input checked="" type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: <u>Pass unamended</u> | | | | |
| 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 |
| MENOR, Ron (C) | ✓ | | | |
| HOOSER, Gary L. (VC) | ✓ | | | |
| IHARA, Jr., Les | | | | ✓ |
| KOKUBUN, Russell S. | | | | ✓ |
| TRIMBLE, Gordon | | ✓ | | |
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| TOTAL | 23 | 1 | | 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

The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Transportation and International Affairs
TIA

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|---|---------------------------------------|-------------------------|
| Bill / Resolution No.:* HB 2263 (HSCR 739-08) | Committee Referral: ENE/TIA | Date: 3-17-08 |
|---|---------------------------------------|-------------------------|

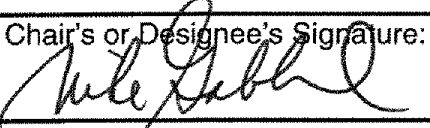
The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

| Members | Aye | Aye (WR) | Nay | Excused |
|------------------------|----------|----------|----------|----------|
| ENGLISH, J. Kalani (C) | ✓ | | | |
| GABBARD, Mike (VC) | ✓ | | | |
| ESPERO, Will | ✓ | | | |
| HOOSER, Gary L. | ✓ | | | |
| INOUYE, Lorraine R. | ✓ | | | |
| TSUTSUI, Shan S. | | | | ✓ |
| TRIMBLE, Gordon | ✓ | | | |
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| TOTAL | 6 | — | — | 1 |

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes