

STAND. COM. REP. NO. 2710

Honolulu, Hawaii
FEB 29 2008

RE: S.B. No. 2526
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 Health, to which was referred S.B. No. 2526 entitled:

"A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL,"

beg leave to report as follows:

The purpose of this measure is to prohibit cruise ships from burning bunker fuel within five miles of Nawiliwili Harbor, in order to reduce air pollution affecting the Niunalu community.

Testimony in support of this measure was submitted by the Office of Hawaiian Affairs; Sierra Club, Kaua'i Group of the Hawaii Chapter; Malama Kaua'i; and twenty-five private citizens. Comments were submitted by the Director of Health; Department of Transportation; Princess Cruises and Holland America Line; Royal Caribbean International and Celebrity Cruises; and NCL America Inc., Hawaii Operations.

Your Committees find that it is important to acknowledge the air pollution complaints of the Niunalu community, and to take meaningful action to address the situation. However, to better understand the source of the pollutants and identify the most effective solutions available, the gathering of information is necessary before permanent legislative action is taken.

The testimony of several cruise ship companies has suggested to your Committees that a switch to .5 per cent sulfur fuel may be effective in reducing odor and soot; and thus, in reducing the



amount of air pollution caused by cruise ships affecting the Niualu community.

Accordingly, your Committees have amended this measure by:

- (1) Replacing the content of the measure with a three-year pilot program to be established and implemented by the Department of Health, with results to be reported to the Legislature. The program is designed to determine the current level of and health and environmental impact on the Niualu community of air pollution caused by bunker fuel-burning cruise vessels docked or moored in Nawiliwili Harbor, and the effect of requiring cruise ships to switch to .5 per cent or lower sulfur fuels while docked or moored;
- (2) Changing the effective date to July 1, 2050, to ensure further discussion and consideration; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2526, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2526, 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 Health,



DAVID Y. IGE, Chair

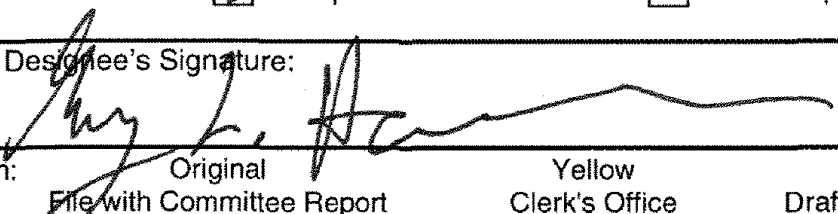


RON MENOR, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

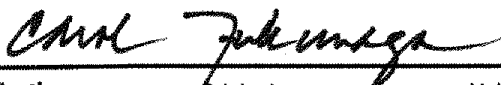
Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 2526	Committee Referral: ENE/HTH	Date: 2/26/08		
<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
MENOR, Ron (C)	✓			
HOOSER, Gary L. (VC)	✓			
IHARA, Jr., Les	✓			
KOKUBUN, Russell S.				✓
TRIMBLE, Gordon				✓
TOTAL	3			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 Health
HTH

Bill / Resolution No.:* SB 2526	Committee Referral: ENE/HTH	Date: 2/26/08		
<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
IGE, David Y. (C)	✓			
FUKUNAGA, Carol (VC)	✓			
BAKER, Rosalyn H.				✓
MENOR, Ron	✓			
WHALEN, Paul		✓		
TOTAL	3	1		1
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				

*Only one measure per Record of Votes