

Honolulu, Hawaii

FEB 10 2009

RE: S.B. No. 37
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committees on Water, Land, Agriculture, and Hawaiian Affairs and Transportation, International and Intergovernmental Affairs, to which was referred S.B. No. 37 entitled:

"A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE,"

beg leave to report as follows:

The purpose of this measure is to provide an alternate ferry route from Lana'i to Ma'alaea Harbor.

Specifically, this measure provides:

- (1) Priority assignment of mooring space for a ferry route from Ma'alaea Harbor to Lahaina;
- (2) An exemption from the imposition of the general excise tax for the proceeds from the sale of liquid fuels consumed in the operation of certain intra-county ferry services; and
- (3) An exemption from the fuel tax for fuel purchases for certain intra-county ferry services.

One state agency and one organization provided comments. Testimony in opposition was submitted by one state agency.

West Maui residents are served by only one two-lane highway and one small airport. The residents of the island of Lana'i have only one affordable and frequent means of transport to Maui, which



is the intra-county ferry from Lana'i to Lahaina. A more convenient route for Lana'i travelers would be to dock in Ma'alaea.

Your Committees find that an alternative ferry route from Lana'i to Ma'alaea Harbor will also benefit West Maui residents by easing congestion in and around Lahaina and its small boat harbor. The alternate route to Ma'alaea will also facilitate emergency ferry operations out of Lahaina if the highway in West Maui is closed for some reason.

Your Committees understand that certain provisions of this measure were adopted in Act 57, Session Laws of Hawaii 2008, however, the exemption of the sale of liquid fuel from the general excise tax provides a critical element for the support of the intra-island ferry operations.

Your Committees have amended this measure by making technical, nonsubstantive changes for the purposes of consistency and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, Agriculture, and Hawaiian Affairs and Transportation, International and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 37, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 37, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land,
Agriculture, and Hawaiian
Affairs and Transportation,
International and
Intergovernmental Affairs,



J. KALANI ENGLISH, Chair

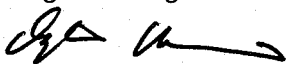


CLAYTON HEE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

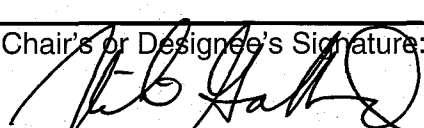
Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WTL

Bill / Resolution No.:* SB 37	Committee Referral: WTL/TIA, WAM	Date: 2-2-09		
<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
HEE, Clayton (C)	✓			
TOKUDA, Jill N. (VC)				✓
BUNDA, Robert	✓			
FUKUNAGA, Carol				✓
KOKUBUN, Russell S.	✓			
TAKAMINE, Dwight Y.	✓			
HEMMINGS, Fred				✓
TOTAL	34	0	0	3
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

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Transportation, International and Intergovernmental Affairs
TIA

Bill / Resolution No.:* <i>SB 37</i>	Committee Referral: <i>WTL/TIA, WAM</i>	Date: <i>2-2-09</i>		
<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)	✓			
GABBARD, Mike (VC)	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.				✓
SLOM, Sam	✓			
TOTAL	<i>4</i>	<i>—</i>	<i>—</i>	<i>1</i>
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				

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