

STAND. COM. REP. NO. 766

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 1171
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1171 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

begs leave to report as follows:

The purpose of this bill is to extend until the forty-fifth day following adjournment of the Regular Session of the 2010 Legislature the sunset date of Act 2, Second Special Session Laws of Hawaii 2007 (Act 2), which sets forth the conditions under which a large capacity ferry vessel may operate notwithstanding certain environmental impact statutes.

The Department of Transportation (DOT), the Attorney General, Hawaii Superferry, Inc., and Pahio Development, Inc., testified in support of this bill. Maui Tomorrow Foundation and several concerned individuals opposed this measure.

Your Committee has amended this bill by:

- (1) Blanking out the sunset date of Act 2;
- (2) Clarifying Act 2 to state that the authority to operate a large capacity ferry vessel under Act 2 ceases if the final environmental impact statement by the Department of Transportation fails to be accepted by the Office of Environmental Quality Control before the sunset date of Act 2;

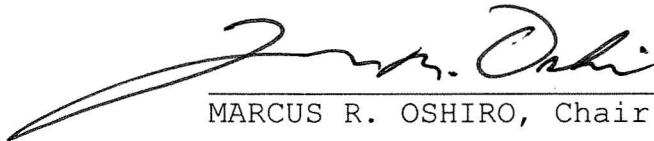
HB1171 HD1 HSCR FIN HMS 2009-2870



- (3) Terminating the authority to operate a large capacity ferry vessel granted in section 3 of Act 2 unless DOT and the operator of the large capacity ferry vessel enter into an agreement to finance the principal and debt service on the general obligation bonds issued to fund improvements for the large capacity ferry vessel service by 45 days after adjournment sine die of an unspecified regular session; and
- (4) Changing the effective date to July 1, 2020.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1171, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1171, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



