

STAND. COM. REP. NO. 796

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1053  
S.D. 2

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1053, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL REVIEW,"

begs leave to report as follows:

The purpose of this measure is to amend chapter 343, Hawaii Revised Statutes, relating to environmental impact statements, to allow a state or county agency that is proposing an action involving the use of state or county lands to designate the person who is the actual proposed user of the lands to prepare and fund the environmental assessment and, if necessary, an environmental impact statement.

Your Committee has received one written comment on this measure. The written comment may be reviewed on the Legislature's website.

The process of preparing, reviewing, and amending environmental assessments and environmental impact statements is very time-consuming and costly. In many instances where a state or county agency is proposing the use of state or county lands, the actual proposed end-user of the state or county lands is an entity other than a state or county agency. Your Committee believes that, in these cases, it is only fair and equitable that the ultimate beneficiary of the use of the state or county lands bear that costs of preparing, reviewing, and amending any environmental assessment or environmental impact statement required by the proposed action.

SB1053 SD2 SSCR LRB 09-2774.doc



Your Committee has amended this measure by:

- (1) Making technical nonsubstantive for the purposes of clarity and consistency; and
- (2) Amending the effective date to July 1, 2050, to allow further discussion of this measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1053, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1053, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,




DONNA MERCADO KIM, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
<b>SB 1053 SPI</b>	<b>ENE/TIA, WAM</b>	<b>MAR 2, 2009</b>		
<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
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton				/
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.				/
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
<b>TOTAL</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes