

STAND. COM. REP. NO.

1194

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 424  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Energy and Environment, to which was referred H.B. No. 424, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS,"

begs leave to report as follows:

The purpose and intent of this measure is to extend the temporary exemption from the State's environmental impact statement law afforded to certain actions involving infrastructure within existing public rights-of-way.

Your Committee received testimony in support of this measure from Gary Hooser, Office of Environmental Quality Control; The Chamber of Commerce of Hawaii; Myoung Oh, Hawai'i Association of REALTORS; David Arakawa, Land Use Research Foundation of Hawaii; and Rouen Liu, Hawaiian Electric Company, Inc.

This measure extends the sunset date of Act 87, Session Laws of Hawaii 2009, from July 1, 2011, to July 1, 2013. Act 87 exempts a primary action from chapter 343, Hawaii Revised Statutes, the environmental impact statements law, when that primary action is subject to only a non-discretionary permit or approval and involves a secondary action that is ancillary and limited to the installation, improvement, renovation, construction, or development of infrastructure within an existing public right-of-way or highway.



Your Committee finds that there are questions about the application of chapter 343, Hawaii Revised Statutes, as it pertains to primary and secondary actions. This measure allows more time to resolve these issues.

As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 424, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy and  
Environment,




MIKE GABBARD, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Energy and Environment**  
**ENE**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 424 SDI	TIA, ENE	4/5/11		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	✓			
ENGLISH, J. Kalani (VC)				✓
GREEN, M.D., Josh	✓			
IHARA, Jr., Les				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
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