

STAND. COM. REP. NO. **45**

Honolulu, Hawaii

FEB 09 2011

RE: S.B. No. 164
S.D. 1

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

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Transportation and International Affairs, to which was referred S.B. No. 164 entitled:

"A BILL FOR AN ACT RELATING TO COUNTY ADMINISTRATION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Grant rule-making authority to any county semi-autonomous public transit entity having a governing board for the planning, construction, operation, maintenance, and expansion of the public transit systems of that county, and to exempt those rules from approval by the mayor of that county as in the case of county boards of water supply; and
- (2) Clarify the existing definition of agency under the Administrative Procedures Act to include a state or county semi-autonomous public entity, and to list the remaining definitions in alphabetical order.

Your Committees received testimony in support of this measure from one county department and one labor organization.

On November 2, 2010, the voters of the City and County of Honolulu approved an amendment to the Revised Charter of the City and County of Honolulu to establish a semi-autonomous public transit authority which is responsible for the planning,

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construction, operation, maintenance, and expansion of Honolulu's fixed guideway mass transit system. That transit authority, officially known as the Honolulu Authority for Rapid Transit, will provide timely and efficient management of the rail transit system.

Your Committees find that the Honolulu Authority for Rapid Transit needs specific rule-making authority to function as a semi-autonomous agency of the county. It is not the intent of this measure to nullify any existing rule-making functions of any other state or county semi-autonomous agencies, boards, or commissions.

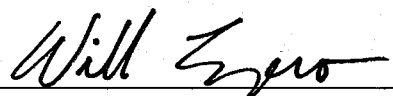
Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Transportation and International Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 164, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 164, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Government Operations, and
Military Affairs and
Transportation and
International Affairs,



J. KALANI ENGLISH, Chair



WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* SB 164	Committee Referral: PGM/TIA, JDL	Date: 2-1-11
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
KIDANI, Michelle N. (VC)	✓			
BAKER, Rosalyn H.	✓			
RYAN, Pohai	✓			
SLOM, Sam				✓
TOTAL	4			1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Michelle N. Kidani

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 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 164	PGM/TIA, JDL	2/11/11		
<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 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)	✓			
ESPERO, Will (VC)	✓			
DELA CRUZ, Donovan M.				✓
GABBARD, Mike				✓
KAHELE, Gilbert				✓
KOUCHI, Ronald D.	✓			
SLOM, Sam			✓	
TOTAL	3		1	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted <i>Will Espero</i>				
Chair's or Designee's Signature:				
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*Only one measure per Record of Votes