

STAND. COM. REP. NO.

2242

Honolulu, Hawaii

FEB 16 2012

RE: S.B. No. 2875  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Transportation and International Affairs, to which was referred S.B. No. 2875 entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

beg leave to report as follows:

The purpose and intent of this measure is to exempt all work involving submerged lands used for state commercial harbor purposes from permitting and site plan approval requirements for lands in a conservation district.

Your Committees received testimony in support of this measure from the Department of Transportation, Land Use Research Foundation of Hawaii, and Hawaii Harbor Users Group. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs and Historic Hawaii Foundation. Your Committees received comments on this measure from the Chamber of Commerce of Hawaii and Building Industry Association of Hawaii.

Your Committees find that the cargo system for Hawaii is dependent on the state commercial harbors system. Currently, ninety-eight percent of Hawaii's imported goods pass through the state's commercial harbors system. Thus, there can be significant detrimental impacts to the delivery of goods if harbor facilities are not maintained or capital improvement projects are not completed in a timely manner due to permit delays.



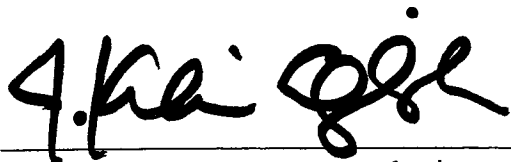
Your Committees further find that environmental protection oversight of state commercial harbors is already sufficiently provided through several authorities including the state environmental impact statements law and permit requirements by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, and the Clean Water Act. Additional permitting and site plan approval requirements are unnecessary given these existing safeguards.

Your Committees understand the importance of timely and efficiently implementing harbor projects and do not want to create two different standards for government harbors and all other harbors.

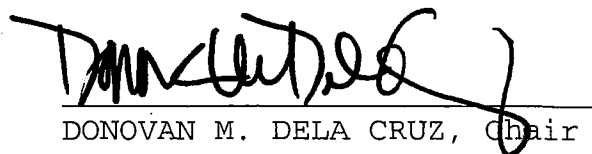
Accordingly, your Committees have amended this measure by exempting work involving submerged lands used for any harbor purposes from the permitting and site plan approval requirements for lands in a conservation district.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing 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. 2875, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2875, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committees on Water, Land, and  
Housing and Transportation and  
International Affairs,



J. KALANI ENGLISH, Chair

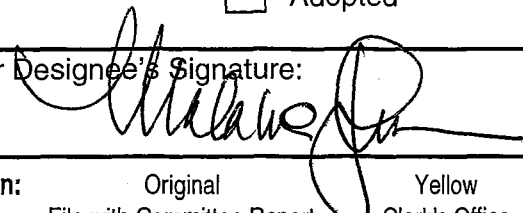


DONOVAN M. DELA CRUZ, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Water, Land and Housing**  
**WLH**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2875	WLH/TIA, JDL	2/13/12		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam				✓
<b>TOTAL</b>	<b>4</b>			<b>3</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

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 2875	WLH/TIA, JDL	2/13/12
<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		✓
<b>TOTAL</b>	6	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: <i>Will Espero</i>		
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy		

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