

Honolulu, Hawaii

March 22, 2012

RE: S.B. No. 3010
S.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Transportation and Energy & Environmental Protection, to which was referred S.B. No. 3010, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

beg leave to report as follows:

The purpose of this measure is to ensure public safety and to expedite the rehabilitation and replacement of state-owned bridges by providing the Department of Transportation, and any of the Department's contractors, with temporary exemptions from certain state requirements.

The General Contractors Association of Hawaii testified in support of this measure. The Department of Transportation testified in support of the intent of this measure. The Office of Planning of the Department of Business, Economic Development, and Tourism, Department of Health, Office of Environmental Quality Control, Maui County Planning Department, Historic Hawaii Foundation, Sierra Club-Hawaii Chapter, The Rama Exhibition, Chair of the Legislative Committee of the Society for Hawaiian Archaeology, Office of Hawaiian Affairs, and numerous individuals testified in opposition to this measure. The Department of Land and Natural Resources provided comments.

The Department of Transportation is charged with the implementation of the bridge rehabilitation and replacement program. According to the Department, there are currently 756 state-owned bridges, of which 256 are functionally obsolete and 39

SB3010 SD2 HSCR TRN-EEP HMS 2012-2992



are structurally deficient. The Department also noted that at the current rate of rehabilitation and replacement of one to three bridges per year, it will take well over 50 years to address all the deficient bridges statewide. Meanwhile, other bridges that are not currently deficient will gradually deteriorate. According to the Department, some of the delay in bridge rehabilitation and replacement is caused by duplicative reviews conducted under both federal and state requirements, including environmental requirements, and this delay can be minimized by exempting certain projects from these requirements.

While your Committees understand the concerns raised by the environmental community that providing a blanket exemption to the Department of Transportation from certain state requirements may have unintended consequences, your Committees find that restricting the exemptions to the ten bridges contained in this measure that are either functionally obsolete or structurally deficient and are currently in the design phase for rehabilitation or replacement is a sufficient safeguard. Moreover, your Committees note that the Department of Transportation has stated that it will still need to meet federal environmental requirements for these projects.

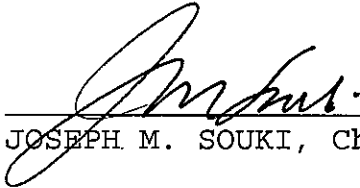
Lastly, your Committees find that the process for rehabilitation and replacement of many of these bridges needs to be expedited to ensure public safety.

As affirmed by the records of votes of the members of your Committees on Transportation and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3010, S.D. 2, and recommend that it pass Second Reading and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Energy & Environmental
Protection,


DENNY COFFMAN, Chair


JOSEPH M. SOUKI, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR1156-12

Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: SB 3010 SD 2	Committee Referral: TRN/EEP, FIN	Date: 3/19/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. COFFMAN, Denny (C)	✓			
2. KAWAKAMI, Derek S.K. (VC)	✓			
3. CABANILLA, Rida T.R.		1/		
4. CARROLL, Mele				✓
5. CHANG, Jerry L.	✓			
6. HAR, Sharon E.	✓			
7. HERKES, Robert N.				✓
8. ITO, Ken				✓
9. NAKASHIMA, Mark M.	✓			
10. RIVIERE, Gil			✓	
11. THIELEN, Cynthia			✓	
TOTAL (11)	5	1	2	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				