

STAND. COM. REP. NO. **123**

Honolulu, Hawaii

FEB 14 2011

RE: S.B. No. 723

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 S.B. No. 723 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 from July 1, 2011, to July 1, 2015, the sunset date of Act 87, Session Laws of Hawaii 2009, which exempts from the State's environmental impact statement law certain projects that are not subject to discretionary consent but involve ancillary actions connecting to infrastructure on public rights-of-way.

Your Committee received testimony in support of this measure from the Department of Transportation; Loretta J. Fuddy, Department of Health; James K. Mee, National Association of Industrial and Office Properties; The Chamber of Commerce of Hawaii; Attilio Leonardi, Jr., Kapolei Chamber of Commerce; Karen Nakamura, Building Industry Association of Hawaii; Myoung Oh, Hawai'i Association of Realtors; David Arakawa, Land Use Research Foundation of Hawaii; and Rouen Liu, Hawaiian Electric Company, Inc. Your Committee received testimony in opposition to this measure from Denise Antolini.

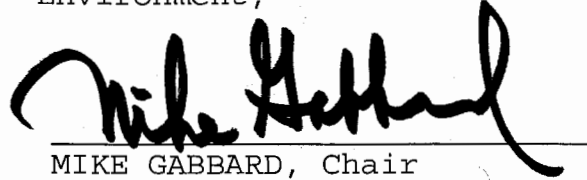
Your Committee finds that many improvements which require only ministerial, non-discretionary permitting involve secondary actions to connect to infrastructure in public rights-of-way and that this measure is necessary for such projects to avoid the long and costly environmental review process that would otherwise be



mandated and in many cases discourage these improvements and their consequent economic benefits.

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 S.B. No. 723 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

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

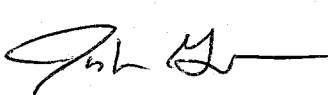


MIKE GABBARD, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:* SB 723	Committee Referral: ENE, JDL	Date: 2/3/11		
<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				✓
TOTAL	2	1	0	pro
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes