

Honolulu, Hawaii

MAR 01 2013

RE: S.B. No. 1027
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1027 entitled:

"A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to provide a process for state consistency review and certification for development by a state agency on state land within a special management area.

More specifically, this measure:

- (1) Specifies that development by a state agency on state land within a special management area need not obtain a permit or shoreline setback variance, if the development meets certain requirements; and
- (2) Allows state agencies with developments on state land to either self-certify compliance with the coastal zone management law, obtain a federal consistency concurrence pursuant to federal regulations, or continue to go through the special management area permitting and shoreline setback variance processes if they prefer.

Your Committee received written comments in support of this measure from the Department of Business, Economic Development, and Tourism and the Office of Planning.



Your Committee received written comments in opposition to this measure from thirteen individuals.

Your Committee received written comments on this measure from the Office of Hawaiian Affairs.

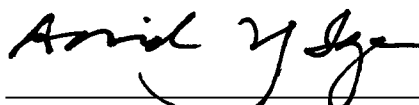
Your Committee finds that the special management area permitting system is part of the federally approved Hawaii coastal zone management program, which is managed by the counties and overseen by the Office of Planning. Under current law, the special management area permitting process involves public hearings by the county planning commissions or the Honolulu City Council and may involve contested case hearings. Your Committee also finds that this measure provides a streamlined review process for development by a state agency on state land within a special management area, eliminating the need to obtain a county approved special management area permit and shoreline setback variance. Your Committee further finds that this streamlined process will allow the State to expeditiously deliver capital improvement projects and repair and maintenance projects without sacrificing coastal resources.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1027, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1027, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 1027	Committee Referral: WTL / EGH, WAM	Date: 2-22-13		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.				✓
RUDERMAN, Russell E.		✓		
THIELEN, Laura H.		✓		
TOKUDA, Jill N.	✓			
SLOM, Sam		✓		
TOTAL	9	3	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes