

Honolulu, Hawaii  
**February 8**, 2016

RE: H.B. No. 2408  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Transportation, to which was referred H.B. No. 2408 entitled:

"A BILL FOR AN ACT RELATING TO LAND DISPOSITIONS,"

begs leave to report as follows:

The purpose of this measure is to facilitate the efficient use of public lands under the jurisdiction of the Department of Transportation by:

- (1) Allowing the Board of Land and Natural Resources to delegate the authority to approve revocable permits for the use of public lands under the jurisdiction of the Department of Transportation to the Director of Transportation; and
- (2) Exempting the revocable permits issued by the Department of Transportation from Board of Land and Natural Resources approval requirements as well as public auction and public advertisement for sealed tender requirements.

The Department of Transportation, Airlines Committee of Hawaii, Young Brothers, Limited, Airport Concessionaires Committee, and Pasha Hawaii testified in support of this measure. The Office of Hawaiian Affairs testified in opposition to this bill. The Department of Land and Natural Resources commented on this measure.



Hawaii is an isolated archipelago that is dependent on its airports and harbors for the movement of goods and people. Hawaii's airports and harbors also play a vital role in supporting and sustaining Hawaii's economy. Due to the importance of Hawaii's airports and harbors, numerous parcels of public lands have been set aside specifically for aeronautical and maritime use and placed under the jurisdiction and control of the Department of Transportation. However, the Department is currently required to obtain approval from the Board of Land and Natural Resources when it seeks to issue revocable permits for facilities at its airports and harbors, resulting in unnecessary delays and loss of rental revenues, particularly when permits are issued for a short term. Your Committee finds that this measure addresses this issue.

However, your Committee understands the concerns raised that public input and comment on the issuance of revocable permits currently afforded through the oversight process of the Board of Land and Natural Resources will be lost. While your Committee finds that this measure warrants further consideration, your Committee respectfully requests the Committee on Water and Land to discuss these concerns further as this measure continues through the legislative process.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion;
- (2) Inserting a sunset date of July 1, 2019; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2408, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2408, H.D. 1, and be referred to your Committee on Water & Land.



Respectfully submitted on  
behalf of the members of the  
Committee on Transportation,



HENRY J.C. AQUINO, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

HSCR 55-14

**Record of Votes of the Committee on Transportation**

Bill/Resolution No.: <b>HB 2408</b>	Committee Referral: <b>TRN, WAL, FIN</b>	Date: <b>2-3-16</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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)				
TRN Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	X			
2. LoPRESTI, Matthew S. (VC)	X			
3. HAR, Sharon E.	X			
4. ICHIYAMA, Linda	X			
5. JOHANSON, Aaron Ling	X			
6. KEOHOKALOOLE, Jarrett	X			
7. NAKASHIMA, Mark M.	X			
8. SAN BUENAVENTURA, Joy A.		X		
9. TAKAYAMA, Gregg	X			
10. TAKUMI, Roy M.	X			
11. YAMASHITA, Kyle T.	X			
12. TUPOLA, Andria P.L.	X			
<b>TOTAL (12)</b>	<b>11</b>	<b>1</b>		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>Committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				