

STAND. COM. REP. NO.

2364

Honolulu, Hawaii

FEB 15 2018

RE: S.B. No. 2953
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Transportation and Energy and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 2953 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY,"

beg leave to report as follows:

The purpose and intent of this measure is to require private streets, highways, or thoroughfares in a development district of the Hawaii Community Development Authority to conform to county highway construction and maintenance standards and allow private civil injunctive actions in circuit court to enforce compliance.

Your Committees received testimony in support of this measure from the Department of Transportation, Kaka'ako United, Musicians' Association of Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the City and County of Honolulu. Your Committees received comments on this measure from the Bank of Hawaii, Land Use Research Foundation of Hawaii, and one individual.

Your Committees find that the intent of this measure is to ensure that private streets, highways, and thoroughfares do not fall into disrepair is well-intentioned. Currently, numerous streets in the Kaka'ako Community Development District are privately owned and in disrepair, with large potholes that are



unsafe to vehicles and pedestrians. However, your Committees note that the current language allows for ambiguity, particularly with respect to roads where ownership is in dispute.

Your Committees have amended this measure by clarifying that this measure applies to owners who exercise ownership for financial gain or profit in commercial development districts.

As affirmed by the records of votes of the members of your Committees on Transportation and Energy and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2953, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2953, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Energy and Public Safety,
Intergovernmental, and Military
Affairs,


CLARENCE K. NISHIHARA, Chair


LORRAINE R. INOUE, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

Bill / Resolution No.:* SB 2953	Committee Referral: TRE/PSM,JDC	Date: 2/8/2018		
<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
INOUE, Lorraine R. (C)	K			
ESPERO, Will (VC)	K			
ENGLISH, J. Kalani	K			
HARIMOTO, Breene	K			
SHIMABUKURO, Maile S.L.	K			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Will Espero</i></div>				
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*Only one measure per Record of Votes

