

STAND. COM. REP. NO.

1185

Honolulu, Hawaii

MAR 01 2019

RE: S.B. No. 1091  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1091, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF  
TRANSPORTATION,"

begs leave to report as follows:

The purpose and intent of this measure is to appropriate funds to the Department of Transportation for capital improvement projects.

Your Committee received written comments in support of the version of the measure as received by the Committee from the Department of Transportation.

Prior to decision making on this measure, heavy rains triggered landslides on the slopes adjacent to the Pali Highway in the City and County of Honolulu, closing the highway and leading the Governor to declare the Pali Highway and affected adjacent lands to be disaster areas. Your Committee made available for public review a proposed Senate Draft No. 2 (Proposed Draft) of this measure, which amends the measure by replacing its entire contents with provisions that appropriate emergency funds for landslide relief efforts on the Pali Highway.



Your Committee received testimony in support of the Proposed Draft from the Department of Transportation, Oahu County Democrats, and one individual.

Prior to a public hearing on the Proposed Draft, a similar landslide damaged and closed the Honoapiilani Highway in the County of Maui. The Governor issued a supplementary proclamation, declaring a disaster near and between mile marker thirty-six and mile marker forty-two on the Honoapiilani Highway.

Your Committee finds that an emergency appropriation is necessary to mitigate landslide damages on the Pali Highway and Honoapiilani Highway and to fund efforts to remove debris, assess landslide and rockfall risks, scale slopes, remove additional materials that pose risks, and construct landslide rockfall protection for the public's safety.

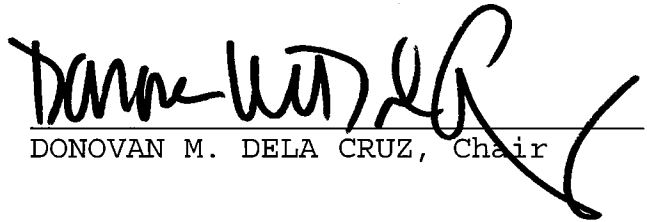
Your Committee has amended this measure by adopting the Proposed Draft and further amending the Proposed Draft by:

- (1) Designating the Honoapiilani Highway as an additional beneficiary of the emergency appropriation;
- (2) Authorizing the Department of Transportation to expend funds for the maintenance of limited access restrictions on the Honoapiilani Highway;
- (3) Noting that the relief projects may qualify for Federal Highway Administration emergency relief and that the Federal Highway Administration may reimburse up to eighty percent of the projects' cost upon their completion;
- (4) Requiring any amounts received from the Federal Highway Administration for qualified federal highway relief to be deposited into the general fund;
- (5) Specifying that any unencumbered appropriation shall lapse as of June 30, 2020; and
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.



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. 1091, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1091, S.D. 2.

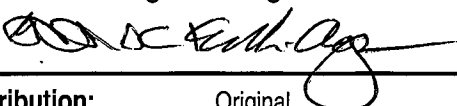
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1091, SDI	TRS, WAM	3/1/19		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene				X
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	9			4
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