

STAND. COM. REP. NO.

3249

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 3152
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 3152, S.D. 1, 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:

- (1) Require cultural assessments to be available for public review and comment in connection with draft environmental assessments;
- (2) Require a cultural impact assessment if an agency determines a proposed action may have a significant effect on the environment; and
- (3) Define the terms "cultural assessment" and "cultural impact assessment" to provide greater clarity for the requirements of environmental impact statements.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from the Department of Transportation and Office of Planning.



Your Committee finds that native Hawaiian culture plays a vital role in preserving and advancing the unique quality of life in Hawaii. Your Committee further finds that although Act 50, Session Laws of Hawaii 2000, required environmental assessments and environmental impact statements to disclose the effects of proposed actions on the cultural practices of the community and State, it did not provide a statutory definition for the cultural assessments nor cultural impact assessments that resulted from this requirement.

Your Committee recognizes that this lack of clarity has led to adverse impacts on native Hawaiian resources, practices, and traditions. This measure seeks to increase public notice and participation on the proposed actions of the State and counties, and ensure the continued existence, development, and exercise of native Hawaiian culture by requiring due consideration of the effects of human activities on the perpetuation of the culture.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3152, S.D. 1, and recommends that it pass Third Reading.

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

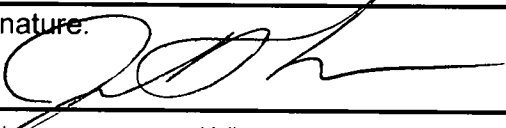


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 3152 SD1	Committee Referral: AEN, JDC	Date: 2/27/2020		
<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
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
FEVELLA, Kurt				/
TOTAL	A			1
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