

STAND. COM. REP. NO.

1095

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1404
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 1404, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AERONAUTICS,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize the Department of Transportation Airports Division to:

- (1) Demand and collect reimbursement from any airport contractor, tenant, or user for the entire amount of fines and penalties levied for the violation of federal, state, or county laws related to environmental protection or the United States Department of Homeland Security; and
- (2) Enter into a capital advancement contract with a private party for public improvement or construction projects at State airports under certain circumstances.

Your Committees received testimony in support of this measure from the Department of Transportation.

Your Committees find that in the past three years, the Department of Transportation was fined by the United States Transportation Security Administration approximately \$150,000 for violations caused by tenants and contractors at State airports.

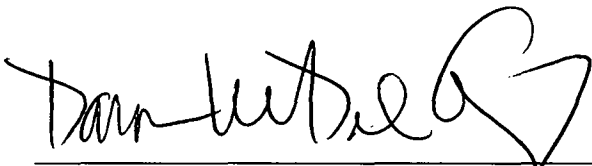


Therefore, providing the Department with the statutory authority to demand and collect reimbursements from violators will help streamline the general recourse process and ensure that funds ceded as fines are reclaimed for the betterment of the airports.

Your Committees also find that the need for airport improvements can arise unexpectedly and that oftentimes, these projects require a quick response that is not typically available through public financing methods. Therefore, allowing the Department to enter into certain capital advancement contracts with private parties will allow for the timely completion of necessary airport improvements, as they arise, to the benefit of the traveling public.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1404, S.D. 1, and recommend that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,



DONOVAN M. DELA CRUZ, Chair



KARL RHOADS, Chair



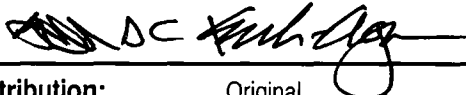
**Record of Votes
 Committee on Judiciary
 JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1404 SDI	TCA, JDC/WAM	3/3/23		
<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="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)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="checked" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Mike Gabbard</i>				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1404 SDI	TCA, JDC/WAM	3/3/23		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	x			
KANUHA, Dru Mamo	x			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	x			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt				x
TOTAL	12			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes