

House Testimony

#201

From: Melita Among [MelitaAm@mail2world.com]
Sent: Thursday, October 25, 2007 10:07 AM
To: House Testimony
Subject: #0201 I support the Supperferry

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is *Melita Among* and I strongly support the Hawaii Superferry.

The Hawaii Superferry gives Hawaii an alternate chance to travel to the other islands. This opportunity was gladly accepted by myself, friends, family, and co-workers. I was looking forward to the opportunity to ride the Hawaii Superferry to visit family on Kauai and the Big Island. This is an affordable way for my family to travel together. Please allow the Hawaii Superferry to resume operation. People here in Hawaii are afraid of change but change comes with the times. Hawaii must move forward in this new millineum. However, a boat is not a new invention. Boats have been around for thousands of years. It is by boat that these islands were discovered and it is by boat that thousands of people still travel by today. I support the Hawaii Superferry. Many different kinds of boats are allowed to travel our island waterways everyday. There is no reason why the Hawaii Superferry should be treated any differently from any&nb sp;other boat that travel Hawaii's waterways. All other boats are allowed to travel here in Hawaii and the Superferry should not be any different. Please allow the Hawaii Superferry to resume operation.

MAHALO,

Melita Among P.O. Box 2625 Ewa Beach, HI 96706

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10/25/2007

Chairman, Joseph M. Souki and Members of the Committee, Good morning.

I am Gene A. Albano and let me start by asking these questions. Why was the Superferry allowed to operate without going through the legal process or why were they given an exception? Is this a QUID PRO QUO? The decision to allow its operation was a blatant and deliberate violation of existing laws on the environment, good laws which were never challenged nor no one ever came forward to have these laws amended before the Superferry case came up.

Ladies and Gentlemen, I join others who are against a special session for the purpose of passing a special law to accommodate a business entity for the following reasons:

1. The decision of the administration of Gov. Lingle to allow the Superferry to operate is in violation of existing laws and should not be validated by the Legislature,
2. To hold a special session simply to suit the purpose of one who have no respect and regard of the law will encourage others to follow which is which not good for the State and its people. In fact, the Governor should have not called for a special session now had she asked the Legislature during your last session to amend the law fully knowing that an environmental assessment or EIS is required for the Superferry to operate legally,
3. Supporters of the Superferry claim that it is good for the State and its people but up to this time they have not provided any proof or analysis to substantiate their claim. Granting that this is true, would it justify the Superferry to violate the law?
4. The people of Hawaii totally agree that it is within the jurisdiction of the Legislature and have the discretion to amend an existing law but to do for Superferry is a bad precedent,
5. The people of Hawaii welcome any businessman or business entity to do business in our State but should operate under existing laws. We are under a government of laws not of men,
6. Should you decide to amend the existing environmental law, there should be a provision in the bill to investigate or audit the Operating Agreement entered into between Gov. Lingle and the Superferry to unearth the truth.

Thank you very much for the opportunity to appear before you and I am ready to answer any question.

ph: 341-9060

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Registration No. _____

**This person has signed up to testify.
No written comments were submitted.**

First & Last Name E. LEE STACK

Organization
[if applicable] _____

Contact
[phone or email] 537 2248

Registration No. _____

**This person has signed up to testify.
No written comments were submitted.**

First & Last Name Sue Haglund

Organization
[if applicable] _____

Contact
[phone or email] ~~917~~ shaglund@hotmail.com

TO:
House Energy & Environmental Protection
Hermina M. Morita, Chair

House Transportation
Joseph M. Souki, Chair

DATE: Thursday, October 25, 2007

TIME: 10:00 a.m.

PLACE: Auditorium State Capitol
415 South Beretania Street

FROM:

Rich Hoepfner
4865G Nonou Rd.
Kapaa, HI 96746
808-639-1954

RE: SUPERFERRY HEARINGS, in OPPOSITION to SPECIAL SESSION and the SUPERFERRY BILL

As a retired Police Officer, after 20 years of service, I can attest that without the rule of law, there is chaos. With the passage of this bill to exempt superferry from the Hawaii Environmental Protection Act, to overthrow a Hawaii Supreme Court decision that superferry cannot be exempted, and to circumvent Judge Cardoza's ruling that superferry can't operate until an Environmental Assessment is completed, the Legislature will be contributing to the abandonment of lawful process and the probable resulting chaos. The "checks and balances" built into our three branch government will be destroyed and the Judicial branch will be meaningless. Setting such a precedent will invite any future EA/EIS to be challenged via this precedent, and what result will that have on Hawaii's fragile environment other than more litigation and chaos? How can middle school and high school students be expected to obey laws on the books, if their leaders flagrantly violate laws and court orders to allow a corporation to do whatever it wants, with potential IRREPARABLE damage to our environment and culture? The alleged "financial" advantages to the State can't even come close to balancing the litigation, chaos, and damage to the State that passage of this bill will result in.

In two days last week of talking to Senators and House Representatives at the Capitol, I discovered that the reasons for the different opinions on superferry are basically different value systems of individuals. If our values have dropped to such a low level that the rule of law is no longer a desirable condition, then "Shades of Rome" is more applicable to our society than I ever thought possible. PLEASE prove me wrong and either defeat this bill, or just adjourn without considering it.

Much Love from Kauai, Rich

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Registration No.

**This person has signed up to testify.
No written comments were submitted.**

First & Last Name Wilton Ching

Organization
[if applicable] _____

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#207

Francine Aona Kenyon
dba KULI IKE KOKUA
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Honolulu, HI 96816
fkennyon09@sprintpcs.com

Thursday, October 25, 2007 at 9:00 am
Auditorium

**TESTIMONY ON SECOND SPECIAL SESSION
FOR THE PROPOSED SUPERFERRY BILL
TO
HOUSE COMMITTEE ON TRANSPORTATION AND HOUSE COMMITTEE ON FINANCE**

Aloha Nui Loa, Rep. Joseph Souki, Rep. Scott Nishimoto, Rep. Maus Oshiro, and Rep. Marilyn Lee
And Members of House Committee on Transportation and on Finance.

My name is Francine Mae Lehuanani Aona Kenyon and I am a long-time deaf advocate and volunteer consultant for deaf, hard-of-hearing, and deaf-blind people of the State of Hawaii with many different hats.

I strongly and firmly support this special bill that requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors; permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions; and establishes a Hawaii InterIsland Ferry Oversight Task Force.

Please do allow the operation of Superferry in the state of Hawaii while an environmental impact statement is being conducted, ensuring the adequate protection of the environment because of three important reasons: (1) travel accessibility and comfort for people with disabilities; (2) strong business and marketing economy; and (3) tourism industry.

I myself am a frequent flyer and love traveling ever since I was little. The major problem is causing ear infection, affecting the loss of hearing because of air pressures upon landing on the ground and having difficulty of getting out of the seat and walking to the lavatory.

When I heard about Superferry coming to Hawaii, I was so excited that a transportation alternative would soon be available for travelers with disabilities. I attended a special focus meeting with the Superferry staff to hear about their plan and to express my comments and concerns for travelers with disabilities and limited mobility. By the time when Superferry finally arrived on the island, I am excited and ready to go to other island on Superferry, but, unfortunately, when I heard the news about the environment protection people blocking and stopping the operation of Superferry. I was very disappointed for the lack of their understanding and insensitivity toward travelers with disabilities. Thus, a special tour of Superferry on dock was provided for us individuals with disabilities. We were all amazed by how accessible and comfortable the ship was because there are many benefits for travelers with or without disabilities on Superferry that airlines don't provide as follows.

- (1) To watch the TVs with closed captions for deaf and hard-of-hearing travelers. Airlines don't provide captioned movies for deaf and hard-of-hearing travelers.
- (2) To travel comfortably and easily on the wider aisles while traveling with manual or motorized wheelchairs, with walkers or canes, and even with the electric scooters. Airlines don't have wider aisles to allow them to go anywhere with easy maneuvers.
- (3) To shop around at the gift shop on Superferry. Airlines don't have anything for us travelers to enjoy shopping while flying but reading and listening to music.
- (4) To play the games in the special game room on Superferry. Airlines don't have enough room for young people or adults to play the games while seating with small trays.
- (5) To buy the snacks from the snack bars, surprisingly even with the menus in brailles. Airlines don't provide the menus with brailles for those with visual impairments.
- (6) To play with children in a small playground on Superferry. Airlines don't provide such a thing for children while flying. How restless they were while flying, you know? Children need to walk back and forth on the aisles but when it comes to bad turbulence, can you imagine how fussy children can be when taken back to seat during the turbulence?? I am thinking of buying my own electric scooter so I can go around on Superferry to shopping at the gift shop, getting something from the snack bar, playing the games, or even lying down and lifting my legs while relaxing on the couches!! What an amazing ship Superferry is to provide more comfort and ease for travelers with mobility problems and even with medical equipment.
- (7) To bring own vehicle, carrying electric scooters, wheelchairs, medical equipments, and luggages in the trunk without any headache. Airports do not provide the driving carts to carry the luggages and the medical equipments for those travelers with disabilities like in O'Hare International Airport, only the porters transporting travelers with wheelchair from the gate to the plane or from the plane to baggage claim and to drop-off site. Can you imagine or have seen the travelers with disabilities holding so many stuff on their laps with discomfort while being transported by porters to the baggage claim from the plane? Not only airports but also the rental cars do not provide any cars or vans that are accessible for drivers with motorized wheelchairs.
- (8) To bring the teams or the children to schools on other islands as the cheapest way for schools to save more money on Superferry than on airlines.

Please think about yourself – what would happen if you become disabled and can't travel to go home on other island? I love whales. I love dolphins. I love sea animals. But you all have to stop and think about travelers with disabilities. There are many laws regarding the civil rights of people with disabilities, such as Americans with Disabilities Act or Air Carrier Access Act. Quoted from www.washington.edu/doit:

Legislation has improved travel conditions in the United States for people with disabilities.

The Americans with Disabilities Act (ADA) and the Air Carrier Access Act each mandate equal access to air travel for individuals with disabilities. These laws require access to all airline physical facilities (e.g., the airplane, airport, restrooms) and communications (e.g., safety briefings, menus, and flight schedules). The ADA also applies to travel by bus, train, and **boat**. Some of the ways these transportation services have been made accessible include the availability of lifts, ramps, or

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boarding assistance for people with mobility impairments; calling out bus stops to help individuals with visual impairments stay oriented and disembark; and providing TTY/TDD devices in reservation or customer service offices for individuals who are deaf.

National Council on Disabilities also presented to the President on "Enforcing Civil Rights of Travelers With Disabilities". So if you stop the operation of Superferry, people with disabilities would be very disappointed that you all have failed to comply with the Americans with Disabilities Act and many laws applying to civil rights of travelers with disabilities, too.

I am asking all of you to stop fighting against each other and to divide the State. So I encourage you all to work together as a team, allowing the operation of Superferry while doing the environment assessment and having the Task Force meeting. I also encourage you to including individuals with disabilities on the Task Force on Superferry!

I strongly believe that Superferry will build a strong, boosting economy for the State of Hawaii, giving more opportunities to travelers with or without disabilities. If my deaf friends come down to Hawaii, I would take them with my own car on Superferry to other islands and give them the best tour in sign language!

In conclusion, on behalf of people with disabilities, I strongly urge you to pass this important bill to allow the operation of Superferry while doing environment assessment, allowing more travelers with disabilities to travel from one island to another with more comfort, ease of mobility, and relaxation and to include individuals with disabilities on Task Force.

Mahalo for allowing me to testify on this important bill.

Sincerely,

Francine Aona Kenyon
Deaf Advocate & Consultant

#208

Bobby Joe Harris, Jr.
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bobbyjoe60@hotmail.com

Thursday, October 25, 2007 at 9:00 am
Auditorium

**TESTIMONY
TO
HOUSE COMMITTEE ON TRANSPORTATION AND HOUSE COMMITTEE ON
FINANCE**

Aloha Nui Loa, Rep. Joseph Souki, Rep. Scott Nishimoto, Rep. Maus Oshiro, and Rep. Marilyn Lee And Members of House Committee on Transportation and on Finance.

My name is Bobby Joe Harris Jr. I am a local resident of Oahu and am hard-of-hearing.

I am in a full support the FULL operation of the Hawaii Superferry on the day I got a glimpse of the ship from a distance. I took the tour on board with some of my friends. As we boarded the Superferry, I was in awe of its size and layout of the ship. I must tell you that by means to bring to your attention that this Superferry is the best ship I ever was on aboard for the special tour. This Superferry really beats the airlines" seating of the men and womens restrooms that are not handicap accessible for wheelchairs. Only the Superferry has the capabilities to provide this wide room in accessible restrooms for wheelchair users in both and along the aisles on the port side and starboard side of the boat and it is an essential for our tourists who want to go on Superferry to go to other island in wheelchair since airlines cant accomodate for them.. and it would boost the economy of Hawaii and make it run smoothly.

I have worked on the ships with American Hawaii cruises and we had accessibility for disabled travelers who came aboard our ships while I was a crew member at that time. So what is the different between these cruises and Superferry? What is wrong with the environment protection people who seem not caring about the special needs of people with disabilities?? I am sorry to say that I disagreed with them about stopping Superferry from the operation. These people SHOULD allow the operation of Superferry while the environment assessment is being conducted. Just remember that the airlines are not big enough for those people using the wheelchairs so Superferry would be perfect for them!

I believe that the Superferry will bring more business to Hawaii. I would love to drive my car into Superferry to go to other island and enjoy traveling around the island

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in my own car. I must admit that Hawaii does not have a strong economy. Superferry will be able to transport the team in a school bus to other island which is cheaper than in airlines which are good for just one individual.

Thank you for you allowing me an opportunity to testify in support of Superferry so please consider this a very important transportation alternative for people with disabilities who cannot possibly use the airlines.

Sincerely,

Bobby Harris

Registration No. 209

**This person has signed up to testify.
No written comments were submitted.**

First & Last Name Elena Respicio

Organization
[if applicable] _____

Contact
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I want to support Hawaii Super-ferry.
Movies are closed-captioned on ferry.
Good!