

STAND. COM. REP. NO.

971

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 376
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Economic Development and Technology, to which was referred H.B. No. 376, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO STREAMLINING PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING,"

beg leave to report as follows:

The purpose and intent of this measure is to allow the counties to contract with licensed, qualified architects and engineers to serve as third-party reviewers to certify compliance with various construction codes and land-use ordinances.

Your Committees received testimony in support of this measure from the American Council of Engineering Companies of Hawaii, The Chamber of Commerce of Hawaii, The Pacific Resource Partnership, and Land Use Research Foundation of Hawaii. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawaii Government Employees Association, Historic Hawai'i Foundation, Hawaii's Thousand Friends, Sierra Club Hawai'i Chapter, and nine individuals. Your Committees received comments on this measure from the Board of Professional Engineers, Architects, Surveyors and Landscape Architects.

Your Committees find that the processing of permit applications relating to construction is hindered and delayed by a backlog of applications awaiting approvals. This measure is

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intended to spur processing of projects by increasing efficiency and timeliness of applications processing through the use of third-party reviews of permits, licenses, and approvals. Your Committees find that this expedited review process will result in the acceleration of generating construction jobs and other related services.

This measure is not intended to allow a third party the ability to approve architects, engineers, surveyors, and landscape architects for licensure to practice in Hawaii.

Your Committees have amended this measure by:

- (1) Deleting sections 3 and 4, relating to the specific time periods within which the Department of Land and Natural Resources would have had to review and a comment on permit, license, and other types of applications;
- (2) Requiring reviewers to meet the education and experience standards and qualifications for preservation professionals, as specified by standards of the United States Secretary of the Interior;
- (3) Prohibiting an owner from retaining a third-party reviewer who works for or is employed by the same person or entity that designed the property of the owner; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

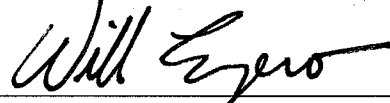
As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Economic Development and Technology that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 376, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 376, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Government Operations, and
Military Affairs and Economic
Development and Technology,



CAROL FUKUNAGA, Chair




WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

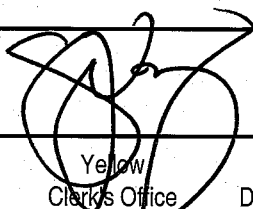
Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:	Committee Referral:	Date:		
HB 376, HD1	PGM/EST, JDL	3-22-11		
<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
ESPERO, Will (C)	/			
KIDANI, Michelle N. (VC)	/			
BAKER, Rosalyn H.	/			
RYAN, Pohai	/			
SLOM, Sam				/
TOTAL	4	0	0	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

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Economic Development and Technology
EDT

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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
FUKUNAGA, Carol (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
SOLOMON, Malama				✓
SLOM, Sam				✓
TOTAL	3	0	0	2
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	Clark's Office	Drafting Agency	Committee File Copy	

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