

Honolulu, Hawaii

FEB 16 2011

RE: S.B. No. 762
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 Economic Development and Technology and Public Safety, Government Operations, and Military Affairs and Water, Land, and Housing, to which was referred S.B. No. 762 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 streamline portions of the review process for permits, licenses, and approvals to minimize time delays, and to expedite projects by:

- (1) Authorizing counties to contract with a third-party reviewer to streamline construction permit, license, and other application processing; and
- (2) Requiring applications to be deemed approved if the Historic Preservation Division of the Department of Land and Natural Resources fails to review and comment within sixty days, and after thirty days if agencies fail to establish maximum time periods for permit and other application processing.

Your Committees received testimony in support of this measure from the Coalition of Hawaii Engineering & Architectural Professionals, Hawaii Laborers' Union, Land Use Research Foundation of Hawaii, Palekana Permits, and Alexander & Baldwin, Inc. Your Committees received testimony in opposition to this



measure from the Department of Land and Natural Resources; Office of Hawaiian Affairs; Hawaii County Economic Opportunity Council; Hawaii Government Employees Association AFSCME Local 152, AFL-CIO; Sierra Club Hawai'i Chapter and Moku Loa Group of the Sierra Club; Hawaii's Thousand Friends; Hawaii Audubon Society; Heart of Maui; Livable Hawaii Kai Hui; Legislative Committee of the Society for Hawaiian Archaeology; Three Ring Ranch Exotic Animal Sanctuary; Respiratory & Environmental Disabilities Association of Hawaii; Kennedy/Jenks Consultants; Aloha 'Aina 'O Kamilo Nui; BioSystems; Kahea; and one hundred thirty individuals.

Your Committees find that the issue of streamlining the permit, license, and application process in order to expedite construction and other projects has raised grave concerns for all those testifying on this measure. Your Committees have considered the issues raised in testimony and believe that this measure, as heard, is premature in its response to the problem.

Your Committees further find that a collaborative approach to identify specific problems and recommend related solutions is a more appropriate approach to the overall problem.

Your Committees have amended this measure accordingly, by:

- (1) Deleting the statutory provisions related to third-party review of permit, license, and approval processing;
- (2) Establishing a Task Force, attached to the Department of Land and Natural Resources for administrative purposes, to identify the problems and recommend specific solutions to streamline the permit, license, and application process;
- (3) Authorizing the Legislative Reference Bureau to provide assistance to the Task Force in the compilation and publication of the findings and recommendations of the Task Force; and
- (4) Requiring a report to the Legislature prior to the 2012 Regular Session.

As affirmed by the records of votes of the members of your Committees on Economic Development and Technology and Public Safety, Government Operations, and Military Affairs and Water, Land, and Housing that are attached to this report, your

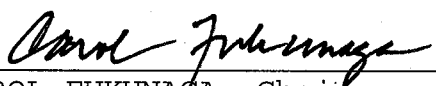


Committees are in accord with the intent and purpose of S.B. No. 762, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 762, S.D. 1, and be referred to the Committee on Ways and Means.

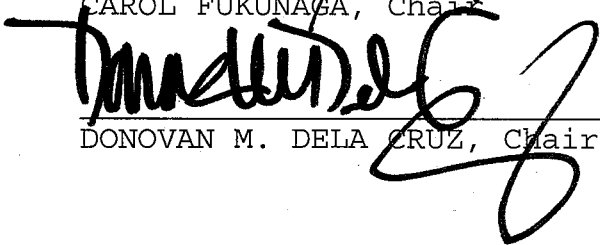
Respectfully submitted on behalf of the members of the Committees on Economic Development and Technology and Public Safety, Government Operations, and Military Affairs and Water, Land, and Housing,



WILL ESPERO, Chair



CAROL FUKUNAGA, Chair

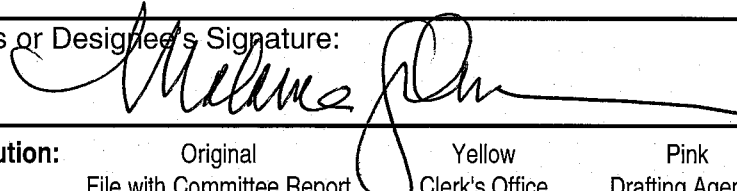


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Economic Development and Technology
EDT

Bill / Resolution No.:* <i>SB 702</i>	Committee Referral: <i>EDT/PGM/WLH, WAM</i>	Date: <i>2/11/11</i>		
<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
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 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 Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* SB 762	Committee Referral: WAMA EDT/PGM/WLH,	Date: 2-11-11
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	/			
KIDANI, Michelle N. (VC)	/			
BAKER, Rosalyn H.				/
RYAN, Pohai	/			
SLOM, Sam	/			
TOTAL	4			1

Recommendation: Adopted Not Adopted

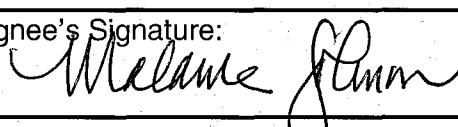
Chair's or Designee's Signature:
Michelle N. Kidani

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The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land, and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB762	EDT/PGM/WLH,WAM	2-11-11		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol	✓			
RYAN, Pohai	✓			
SHIMABUKURO, Maile				✓
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
TOTAL	5			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 Clerk's Office Drafting Agency Committee File Copy				

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