

STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 14 2018

RE: S.B. No. 2296

2292

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Transportation and Energy and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 2296 entitled:

"A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATIONS,"

beg leave to report as follows:

The purpose and intent of this measure is to require metropolitan planning organization policy boards to include at least one member of the Senate and one member of the House of Representatives from that metropolitan planning area and to define "metropolitan planning area" as the geographic area determined by agreement between a metropolitan planning organization and the Governor.

Your Committees received testimony in support of this measure from the Department of Transportation and Maui Metropolitan Planning Organization. Your Committees received testimony in opposition to this measure from the Chair of the Oahu Metropolitan Policy Board.

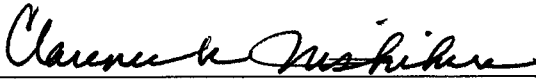
Your Committees find that the population growth in Maui County and Hawaii County means that each will soon have a metropolitan planning organization. This measure will provide these new metropolitan planning organizations some flexibility in their policy board membership, if the organization chooses to have a smaller policy board.



Your Committees have heard the testimony expressing concerns that there might be a conflict between state and federal law if this measure passes. Your Committees note that in 2014, the Federal Highway Administration has previously brought up an issue with the composition of the Oahu Metropolitan Planning Organization, advising that allowing an individual who was not in the metropolitan planning organization to have voting power might be against federal law, and could result in loss of federal funding. While this measure is intended to accommodate new metropolitan planning organizations that will be created in the near future, Oahu members of your Committees are concerned that the language as currently written might jeopardize the Oahu Metropolitan Planning Organization's compliance review recertification. If the "at least one member" language of this measure is interpreted as allowing a Senate or House appointee that is not from the "applicable metropolitan planning area", this could re-raise federal noncompliance issues that may jeopardize federal funding. Your Committees find that this issue merits further consideration and requests that your Committee on Ways and Means further examine this issue.

As affirmed by the records of votes of the members of your Committees on Transportation and Energy and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2296 and recommend that it pass Second Reading and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Energy and Public Safety,
Intergovernmental, and Military
Affairs,



CLARENCE K. NISHIHARA, Chair



LORRAINE R. INOUE, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and Energy
TRE

Bill / Resolution No.:* SB2296	Committee Referral: TRE/PSM, WAM	Date: 2/8/2018		
<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
INOUYE, Lorraine R. (C)	X			
ESPERO, Will (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene	X			
SHIMABUKURO, Maile S.L.	X			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Will Espo</div>				
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-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 2296	Committee Referral: TRE/PSM, WAM	Date: 2-8-18		
<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 <input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit 2312 2311 2310 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
IHARA, Jr., Les				✓
THIELEN, Laura H.	✓			
TOTAL	4	—	—	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