
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A
HAWAII PORT AUTHORITY TASK FORCE TO DETERMINE THE
FEASIBILITY OF ESTABLISHING A HAWAII PORT AUTHORITY.

1 WHEREAS, Hawaii is dependent upon its harbors for the
2 movement of cargo between islands and the rest of the world,
3 serving as the main lifeline of cargo and commerce for the State
4 of Hawaii; and

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6 WHEREAS, Hawaii's economic sustainability is dependent upon
7 the effectiveness and efficiency of its harbors system; and

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9 WHEREAS, during its Regular Session of 1995, the Eighteenth
10 Legislature passed Senate Concurrent Resolution No. 214, S.D. 1,
11 H.D. 1, requesting the Governor to convene the Hawaii Maritime
12 Industry Policy Task Force (Task Force), and referred seven
13 maritime policy issues to the Task Force, including ascertaining
14 the advantages and disadvantages of establishing a Hawaii State
15 Port Authority (Port Authority); and

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17 WHEREAS, the Governor convened the Task Force which
18 submitted its findings, recommendations, and conclusions on the
19 advantages and disadvantages of establishing a Port Authority in
20 its report to the Nineteenth Legislature; and

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22 WHEREAS, the Task Force found and reported that, on a
23 conceptual basis, the advantages of establishing a Port
24 Authority appeared to outweigh the disadvantages; and

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26 WHEREAS, the Task Force recommended that a comparative
27 analysis and implementation study be undertaken to winnow the
28 range of possible port authority models to a single option, and
29 identify the key issues relative to implementation; and

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31 WHEREAS, the Task Force recommended specific parameters for
32 the proposed study consisting of three possible port authority



1 structures to be comparatively analyzed against a general model
2 for a port authority consisting of a vision statement, mission
3 statement, goals, and objectives; and;
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5 WHEREAS, for many years, legislators, individuals involved
6 in the maritime industry, and members of the public have
7 discussed and proposed the establishment of a Port Authority;
8 and
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10 WHEREAS, concerns have been raised with regard to the
11 establishment of a Port Authority and the impact this would have
12 on the Department of Transportation's (DOT) ability to manage
13 federal funds as harbor funds and airport funds cannot be co-
14 mingled; and
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16 WHEREAS, while bills have been introduced in the
17 Legislature proposing to establish a Port Authority over a
18 number of years, none of these measures have ever come to
19 fruition, in large part because of the complex nature of the
20 proposed structural change, and the lack of hard information
21 regarding its implementation; and
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23 WHEREAS, the Task Force was broad-based and comprised of 13
24 members representing the maritime industry, maritime labor
25 unions, freight forwarders, shippers, government agencies
26 responsible for managing the public waterfront resources and
27 concerned with economic regulation of ocean carriers, and the
28 general public; and
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30 WHEREAS, the perennial issue of whether to establish a Port
31 Authority is complex and requires substantial consensus among
32 many different parties, including harbor users and harbor
33 administrators; and
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35 WHEREAS, the question remains as to whether the
36 establishment of a Port Authority will be a worthwhile endeavor
37 aimed at addressing a wide range of issues; now, therefore,
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39 BE IT RESOLVED by the House of Representatives of the
40 Twenty-third Legislature of the State of Hawaii, Regular Session
41 of 2006, the Senate concurring, that DOT, in collaboration with
42 the Department of Business, Economic Development, and Tourism
43 (DBEDT), Department of Land and Natural Resources, Hawaii
44 Community Development Authority (HCDA), and respective harbor

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1 users, including the Hawaii Harbor Users Group, and working
2 together with potential independent contractor-consultants, is
3 requested to establish the Hawaii Port Authority Task Force; and
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5 BE IT FURTHER RESOLVED that the Hawaii Port Authority Task
6 Force shall include but not be limited to the following members:
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- 8 (1) Director of DOT, or a designated representative;
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- 10 (2) Director of DBEDT, or a designated representative;
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- 12 (3) Executive Director of HCDA, or a designated
13 representative;
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- 15 (4) A representative of the Hawaii Harbor Users Group;
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- 17 (5) A representative of Matson Navigation Company, Inc.;
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- 19 (6) A representative of Horizon Lines, LLC;
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- 21 (7) A representative of Young Brothers Limited;
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- 23 (8) A representative of the cruise ship industry; and
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- 25 (9) Any other representative deemed appropriate by the
26 Director of Transportation;
- 27

28 and
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30 BE IT FURTHER RESOLVED that the Hawaii Port Authority Task
31 Force shall develop rules regarding voting and quorum
32 requirements, public meetings, and any other rules necessary for
33 conducting the business of the Hawaii Port Authority Task Force;
34 and
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36 BE IT FURTHER RESOLVED that the Hawaii Port Authority Task
37 Force study the feasibility of establishing a Hawaii Port
38 Authority and whether the Hawaii Port Authority should encompass
39 Hawaii's harbors (including the small boat harbors), Hawaii's
40 airports, or both; and
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42 BE IT FURTHER RESOLVED that the Hawaii Port Authority Task
43 Force also comparatively analyze and winnow to a single option,



1 possible port authority structures, including but not limited
2 to:

- 3 (1) An independent commission;
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- 5 (2) An independent authority;
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- 7 (3) A public-private partnership; and
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- 9 (4) A state government-owned corporation;

10
11 and

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13 BE IT FURTHER RESOLVED that DOT is requested to report to
14 the Legislature its findings and recommendations, including any
15 proposed legislation, no later than twenty days prior to the
16 convening of the Regular Session of 2007; and

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18 BE IT FURTHER RESOLVED that certified copies of this
19 Concurrent Resolution be transmitted to:

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- 21 (1) The Directors of Transportation, Business, Economic
- 22 Development, and Tourism, Land and Natural Resources,
- 23 and the Executive Director of the Hawaii Community
- 24 Development Authority;
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- 26 (2) The Chief Executive Officers of Matson Navigation
- 27 Company, Inc., Horizon Lines, LLC, and Young Brothers
- 28 Limited;
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- 30 (3) The President of the Hawaii Harbor Users Group; and
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- 32 (4) The President of the Northwest Cruise Ship
- 33 Association.
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