STAND. COM. REP. NO. 1005-06

Honolulu, Hawaii

March 17, 2006

RE: S.B. No. 2406 S.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Economic Development & Business Concerns, to which was referred S.B. No. 2406, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PERMIT APPROVALS,"

begs leave to report as follows:

The purpose of this bill is to improve the permit-approval process by providing that a delay by a board or commission in granting or denying an application for business- or development-related permits, licenses, or approvals within a set period of time shall not automatically result in the approval of that application if the delay was caused by the lack of quorum, a tie vote, or other vote with less than a majority of the full membership of the board or commission voting to approve the application.

The County of Hawaii Planning Department, Conservation Council for Hawaii, and Sierra Club-Hawaii Chapter, testified in support of this bill. Hawaii Reserves, Inc., Hawaii Association of Realtors, Hawaii Building and Construction Trades Council, AFL-CIO, and Land Use Research Foundation of Hawaii opposed this measure.

Opponents of this bill testified that the automatic approval provision provides timeliness and certainty in the permitting process. On the other hand, supporters of this bill argued that applications should not be decided by an inconclusive vote or by default.

SB2406 SD1 HSCR EDB HMS 2006-2800

As affirmed by the record of votes of the members of your Committee on Economic Development & Business Concerns that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2406, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Economic Development & Business Concerns,

JOY RIKI KARAMATSU, Chair

## State of Hawaii House of Representatives The Twenty-third Legislature

## HSCR 1005-06

## Record of Votes of the Committee on Economic Development & Business Concerns

Bill/Resolution No.:	Date:				
SB2406 SD1 (SSCR2679)		3/16/06			
Committee Referral: EDB, JUD, FIN		☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended		☐ Pass, with amendments			
☐ Hold		Recommit			
EDB Members	Ayes	Ayes (WR)	Nays	Excused	
1. KARAMATSU, Jon Riki (C)					
2. WAKAI, Glenn (VC)					
3. ABINSAY, Felipe P., Jr.					
4. CHANG, Jerry L.					
5. HERKES, Robert N.					
6. MAGAOAY, Michael Y.					
7. TSUJI, Clift					
8. YAMASHITA, Kyle T.					
9. CHING, Corinne W.L.					
10. MARUMOTO, Barbara C.		)		5	
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TOTAL	4	4	6	2	
TOTAL					
The recommendation is: Adopted					
☐ Not Adopted					
If joint referral, did not support recommendation.					
If joint referral, did not support recommendation.  committee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office					