STAND. COM. REP. NO. 2619

Honolulu, Hawaii MAR - 3 2006

RE: S.B. No. 2406

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Housing, to which was referred S.B. No. 2406 entitled:

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

begs leave to report as follows:

The purpose of this measure is to provide that automatic approval of applications for business- or development-related permits, licenses, or approvals will not occur when the board of commission's decision is delayed by lack of quorum, a tie vote, or other vote with less than a majority of the members of the board or commission.

Testimony in support of the measure was submitted by the County of Hawaii Planning Department, Sierra Club Hawaii Chapter, Conservation Council for Hawaii, and one individual. The Land Use Research Foundation of Hawaii, Hawaii Reserves, Inc., and the Hawaii Association of Realtors opposed the measure.

Your Committee finds that the automatic application approval is controversial. Proponents claim it ensures timeliness, while opponents claim it is poor public policy. Your Committee further finds that the issues raised by this measure deserve further discussion. Accordingly, your Committee has amended the effective date of the measure to read July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Housing that is attached to this report, your Committee is in accord with the

2006-1924 SSCR SMA.doc

intent and purpose of S.B. No. 2406, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2406, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Housing,

RON MENOR, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Commerce, Consumer Protection and Housing (Bills and Resolutions)

Measure:* Committee Referral: Date: 3/2/06				
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:				
The Recommendation is to:				
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
MENOR, Ron (C)			11.70. 1 15 mmm. 1990	
BAKER, Rosalyn H. (VC)				
ESPERO, Will				
GE, David Y.				
SAKAMOTO, Norman				
HOGUE, Bob				
TOTAL	. 4	I_{ij}		/
Recommendation: Adopted Not Adopted				
Chair's or Designer's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

^{*}Do not list more than one measure per Record of Votes.