

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2960

S.D. 2

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B.  
No. 2960, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AERONAUTICS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide greater access to interisland travel by prohibiting the Department of Transportation from assessing landing fees upon air carriers that provide interisland service, except between the most populous island in the State and any other island in the State.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee notes that the Airports District Office of the Federal Aviation Administration reviewed previous drafts of this measure and advised that they violated the State's grant assurances. In light of these concerns, your Committee has amended this measure by:

- (1) Providing that the waiver of landing fees shall apply specifically for air carrier flights landing at Molokai Airport, Lanai Airport, Kapalua-West Maui Airport, Hana Airport, Kalaupapa Airport, and Waimea-Kohala Airport;
- (2) Amending the effective date to provide that the measure will not take effect until the State receives written notification from the Federal Aviation Administration



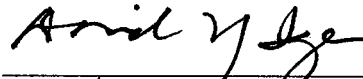
that the measure would not conflict with the State's ability to receive federal funds; and

- (3) Making technical nonsubstantive amendments for the purposes of clarity and style.

Your Committee also notes that the Attorney General has had preliminary discussions with the Federal Aviation Administration regarding this measure. It is your Committee's intent that this measure move forward in the legislative process to allow further discussions on the issue.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2960, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2960, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



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DAVID Y. IGE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.: <i>SB 2960</i> <i>SD1</i>	Committee Referral: <i>TIA, WAM</i>	Date: <i>3-1-12</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: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.				✓
WAKAI, Glenn	✓			<i>not mark</i>
SLOM, Sam				✓
TOTAL	12	0	0	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; font-size: small; margin-top: 5px;"> <span>Original File with Committee Report</span> <span>Yellow Clerk's Office</span> <span>Pink Drafting Agency</span> <span>Goldenrod Committee File Copy</span> </div>				

**\*Only one measure per Record of Votes**