

Honolulu, Hawaii

APR 22 2008

RE: H.B. No. 2250
H.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committees on Transportation and International Affairs and Commerce, Consumer Protection, and Affordable Housing, to which was referred H.B. No. 2250, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSPORTATION,"

beg leave to report as follows:

The purpose of this measure is to establish a statutory scheme for state regulation of interisland air carriers, to the extent permissible under the Constitution and laws of the United States.

Testimony in support of this measure was received from the State Representative from the 8th District. The Department of Transportation and Hawaiian Airlines submitted testimony in opposition.

Your Committees find that the recent shutting down of two major airlines serving Hawaii has already had a profound effect on the State, and the long-term economic impacts are still undetermined. Your Committees believe that all alternative solutions must be considered in order to rebuild and strengthen Hawaii's air transportation industry, and this measure provides one such solution.

Your Committees understand the concern raised by the Department of Transportation that the federal Airline Deregulation Act of 1978 prohibits states from regulating the routes, rates, or services of airlines operating in interstate commerce. Under this



Act, Hawaii is prohibited from regulating its interisland carriers. However, your Committees further note that the State of Alaska received an exemption for some portions of its interstate air transportation, and it may be prudent for the State of Hawaii to initiate discussions with Hawaii's congressional delegation regarding an exemption for Hawaii.


Your Committees also note that this measure specifically addresses the federal issue by providing that the new chapter established in section 2 "shall take effect upon the enactment of federal legislation permitting implementation of that section."

As affirmed by the records of votes of the members of your Committees on Transportation and International Affairs and Commerce, Consumer Protection, and Affordable Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2250, H.D. 1, and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Transportation
and International Affairs and
Commerce, Consumer Protection,
and Affordable Housing,



RUSSELL S. KOKUBUN, Chair



J. KALANI ENGLISH, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2250, HD1	TIA/CPH	4/18/08		
<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
ENGLISH, J. Kalani (C)				✓
GABBARD, Mike (VC)	✓			
ESPERO, Will		✓		
HOOSER, Gary L.				✓
INOUYE, Lorraine R.			✓	
TSUTSUI, Shan S.	✓			
TRIMBLE, Gordon			✓	
TOTAL	2	1	2	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Will Espero</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

