SB 1739
RELATING TO THE CLEAN HAWAI'I CENTER

Senate Committee on Ecology and Environmental Protection
Public Hearing - February 8, 1995
1:00 P.M., Room 305 SOT

By
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SB 1739 would amend Chapters 202, 210, and 342G, HRS, to specify administrative, organizational, fiscal, legal and functional attributes of the Clean Hawaii Center.

Our statement on this measure does not represent an institutional position of the University of Hawaii.

We suggest that language in Section 5.1 is too weak and confusing. If it is the legislative intent to convey these responsibilities to DBEDT, then the measure should explicitly state that intention. If, however, the intent is to create an autonomous office located in DBEDT for administrative purposes only, as is stated in Section 2., then the bill needs to clearly state that intent. As written, neither capacity is unequivocally discernible, and the consequence is that the Center won't have clear direction as to its functional or organizational capacity.

Also, language in Section 6.1 relating to sovereign immunity is unclear. If the intent of the section is to protect the state from liability claims, it's not clear that this language will provide that protection.