

STAND. COM. REP. NO.

1091

Honolulu, Hawaii

MAR 20 2007

RE: H.B. No. 507

H.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.B. No. 507, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO BOATING,"

begs leave to report as follows:

The purpose of this measure is to effectively manage small boat harbors and consistently enforce state boating laws and regulations by prohibiting the Department of Land and Natural Resources from transferring the authority over the small boat harbors to the counties, unless expressly provided by statute.

Testimony in support of this measure was submitted by a Council Member, County of Maui; the Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO; the Ocean Tourism Coalition; the Hawaii Boaters Political Action Association; and two individuals. Testimony in opposition to this measure was submitted by the Department of Land and Natural Resources.

Your Committee finds that article V, section 6, of the State Constitution mandates that functions of the state government shall be allocated by law among its principal departments. Currently, the Department of Land and Natural Resources is responsible for the operation, administration, and maintenance of the small boat harbors. This authority was expressly provided by statute under section 200-3, Hawaii Revised Statutes. Although the Department of Land and Natural Resources may be contemplating transferring the small boat harbors to the counties, your Committee further finds that the Department may not do so without action by the

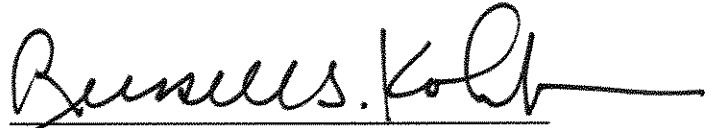
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Legislature, pursuant to article V, section 6, Hawaii State Constitution.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 507, H.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land,  
Agriculture, and Hawaiian  
Affairs,

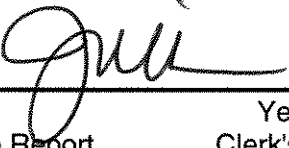


RUSSELL S. KOKUBUN, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WAH**

Bill / Resolution No.:* <b>HB 507 HDZ</b>	Committee Referral: <b>WAH, WAW</b>	Date: <b>3/12/07</b>		
<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
KOKUBUN, Russell S. (C)	X			
TOKUDA, Jill N. (VC)	X			
FUKUNAGA, Carol	X			
HEE, Clayton				X
SLOM, Sam	X			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink File with Committee Report             Clerk's Office             Drafting Agency				

\*Only one measure per Record of Votes