

STAND. COM. REP. NO. 1324

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 1766
H.D. 2
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 1766, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS,"

begs leave to report as follows:

The purpose of this measure is to support the continued development and maintenance of ocean recreation activities provided by state small boat harbors.

Specifically, this measure:

- (1) Extends the maximum term of any lease disposition of public lands in state boating facilities to sixty-five years;
- (2) Allows up to fifteen per cent of moorings in Ala Wai boat harbor and thirty-five per cent of moorings in Keehi boat harbor to be issued for commercial use permits;
- (3) Requires future moorage fees to be based upon appraisal by a state-licensed appraiser, with present moorage fees in schedule A and new moorage fees established in schedule B; and provided further, that the schedule A moorage fees shall be increased by the same amount each year so schedule A moorage fees shall equal schedule B moorage fees by July 1, 2014;



- (4) Allows the Department of Land and Natural Resources to assess and collect utility fees and common area maintenance fees in small boat harbors; and
- (5) Directs the Department of Land and Natural Resources to lease certain fast lands at Ala Wai harbor using the request for proposals process for a public-private development, management, and operation of areas of Ala Wai harbor.

Your Committee received thirty-one written comments on this measure. The written comments may be reviewed on the Legislature's website.

Your Committee finds that small boat harbors throughout the State are a valuable resource that makes ocean recreational opportunities available to all residents. However, the harbors have been neglected in the recent past and, with the looming budget deficits projected for the near future, this neglect could continue and increase. Your Committee finds that many of the provisions of this measure, particularly those providing commercial permits at Ala Wai and Keehi boat harbors, increasing future mooring fees by appraisal, and the proposed public-private development of certain areas in the Ala Wai harbor, should ease budget constraints on small boat harbors throughout the State.

Your Committee has amended this measure by changing its effective date to July 1, 2046, to allow further discussion on this measure.

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 H.B. No. 1766, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1766, H.D. 2, S.D. 2.



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



DONNA MERCADO KIM, Chair



