

STAND. COM. REP. NO.

527

Honolulu, Hawaii

Feb 18

, 2011

RE: H.B. No. 926

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 926 entitled:

"A BILL FOR AN ACT RELATING TO SHORELINE SETBACK,"

begs leave to report as follows:

The purpose of this bill is to protect Hawaii's precious beaches by prohibiting the inclusion of accreted lands in determining the shoreline setback line in counties with a population greater than 500,000.

Hawaii's Thousand Friends supported this bill. The state Office of Planning, Sierra Club-Hawaii Chapter, and a concerned individual supported the intent of this measure. The Department of Land and Natural Resources offered comments.

After careful consideration, your Committee has amended this bill by:

- (1) Amending the definition of "accreted lands" from "lands formed by the gradual accumulation of land on a beach or shore along the ocean by the action of natural forces" to "lands judicially decreed or registered under the State's accretion laws";



- (2) Clarifying that this bill is to be applied prospectively and is applicable only to undeveloped lands that have been judicially decreed or registered under the State's accretion laws; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 926, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 926, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,



JERRY L. CHANG, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSR 527

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: <i>HB 926</i>	Committee Referral: <i>WLO, JUD</i>	Date: <i>2/14/11</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. CHANG, Jerry L. (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida T.R.	✓			
4. CARROLL, Mele				✓
5. CHONG, Pono				✓
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. ITO, Ken	✓			
9. MORITA, Hermina M.	✓			
10. NAKASHIMA, Mark M.	✓			
11. RIVIERE, Gil	✓			
12. THIELEN, Cynthia				✓
TOTAL (12)	<i>9</i>			<i>3</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <i>[Signature]</i>				
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