

STAND. COM. REP. NO.

2567

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2381
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2381 entitled:

"A BILL FOR AN ACT RELATING TO DEPARTMENT OF LAND AND NATURAL
RESOURCES MARITIME FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the
Board of Land and Natural Resources to plan, construct, operate,
and maintain any lands or facilities under the jurisdiction of the
Division of Boating and Ocean Recreation of the Department of Land
and Natural Resources, including the acquisition and use of lands
necessary to stockpile dredged spoils, without the approval of
county agencies.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources. Testimony in
opposition to this measure was submitted by a Council Member of
the County Council of Maui and Hawaii's Thousand Friends.

Your Committee finds that Act 161, Session Laws of Hawaii
1980, granted the Department of Transportation the authority to
plan, construct, operate, and maintain harbors throughout the
State without the approval of county agencies. Act 272, Session
Laws of Hawaii 1991, transferred the jurisdiction, functions,
powers, duties, and authority of the ocean recreational boating
and coastal activities programs from the Department of
Transportation to the Department of Land and Natural Resources,
but did not explicitly grant an exemption from county approvals.

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By allowing the Board of Land and Natural Resources to proceed with certain projects under its jurisdiction without the approval of county agencies, this measure will expedite implementation of much needed improvement projects at the State's boating facilities, for the benefit of residents and visitors alike.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to ensure further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2381, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2381, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



