

DEPARTMENT OF PARKS & RECREATION
CITY AND COUNTY OF HONOLULU

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Phone: (808) 768-3003 • Fax: (808) 768-3053
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PETER B. CARLISLE
MAYOR



GARY B. CABATO
DIRECTOR
ALBERT TUFONO
DEPUTY DIRECTOR

March 28, 2012

The Honorable Senator David Y. Ige, Chair
and Members of the Senate Committee on Ways and Means
Hawaii State Capitol, Conference Room 16
Honolulu, Hawaii 96813

Dear Chair Ige and Committee Members:

Subject: H.B. 2589, HD2, SD 1, Relating to Vessels

The Department of Parks and Recreation vehemently opposes the unfunded mandate in H.B. 2589 HD2, SD1.

The complete responsibility of water craft is the sole responsibility of the Department of Land and Natural Resources to collect fees and registration of water vessels. The City does not have the authority to impound or to dispose of water vessels before going through property disposal state laws that is provided only to DLNR. The City would incur added costs in additional salaries and removal services. Such services, if transferred from the State, should come with funds and or staff to allow the City to perform the duties not a mechanism to perform contested case hearings.

Additional storage property must be secured to store impounded water vessels or the City will incur additional costs to pay for private storage space. It would require an additional funding source.

Should you have any questions, please contact Mr. John Reid, Planner, at 768-3017.

Sincerely,

A handwritten signature in black ink that reads "Gary B. Cabato".

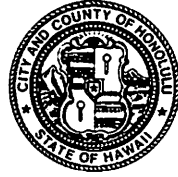
GARY B. CABATO
Director

GBC:jr

W/Vessels 5

DEPARTMENT OF CUSTOMER SERVICES
CITY & COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
ADMINISTRATION
P.O. BOX 30300
HONOLULU, HAWAII 96820-0300

PETER B. CARLISLE
MAYOR



GAIL Y. HARAGUCHI
DIRECTOR

DENNIS A. KAMIMURA
LICENSING ADMINISTRATOR

March 27, 2012

The Honorable David Y. Ige, Chair
and Committee Members
Committee on Ways and Means
The Senate
State of Hawaii
State Capitol, Room 215
Honolulu, Hawaii 96813

Dear Chair Ige and Committee Members:

Subject: H.B. No. 2589 HD2 SD1, Relating to Vessels

The City and County of Honolulu is in strong opposition to H.B. No. 2589 HD2 SD1 which will remove the Department of Land and Natural Resources' responsibility of towing abandoned vessels from public streets.

The county is not relieved of its responsibility to remove abandoned or derelict vehicles from public roadways depending upon state or county ownership of the roadway. Similarly, DLNR, as the custodian of vessel records and beneficiary of the vessel registration fee should be also held accountable for removing vessels regardless of its location.

Since this is a new mandate that was previously the responsibility of the State, we recommend the bill be amended with the addition of an unspecified amount for the counties to administer this new program and a source of revenue for the funding of continuing future abandoned vessel removal operations.

If the removal of abandoned vessels will be accomplished by county employees, we recommend that Section 6 of the bill be amended by providing that the excess of the proceeds from the sale of the vessel over the expenses incurred be deposited in the county general fund.

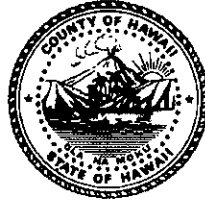
Lastly, we recommend that the effective date of the bill be amended to July 1, 2013, so that the counties will have sufficient time to negotiate abandoned and derelict vessel tow contracts, establish online connectivity, and for training of county inspectors.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis A. Kamimura".

Dennis A. Kamimura
Licensing Administrator

William P. Kenoi
Mayor



Nancy E. Crawford
Director

Deanna S. Sako
Deputy Director

County of Hawai'i

Finance Department

25 Aupuni Street, Suite 2103 • Hilo, Hawaii 96720
(808) 961-8234 • Fax (808) 961-8569

March 27, 2012

The Honorable David Ige, Chair
and Members of the Senate Committee on Ways and Means
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Testimony in Opposition to House Bill No. 2589, HD2, SD1 Relating to Vessels

Thank you for the opportunity to testify in strong opposition to HB 2589 HD2, SD1 which will shift the responsibility for disposing of abandoned vessels from the State Department of Land and Natural Resources to the counties when the vessels are within county areas.

The County of Hawai'i has neither the funding or knowledge and resources needed to carry out the impounding, storage, valuation and disposal of vessels. Disposition of abandoned vessels is costly and time consuming. This bill transfers the additional responsibility without any identified source of funding.

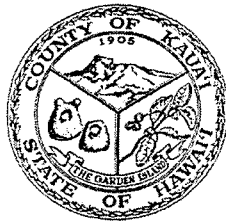
Thank you for your attention to our concerns. We urge you to file H.B. 2589, HD2, SD1.

Sincerely,

A handwritten signature in cursive script that reads "Nancy E. Crawford".

Nancy Crawford
Director of Finance

Bernard P. Carvalho, Jr.
Mayor



Larry Dill, P.E.
County Engineer

Gary K. Heu
Managing Director

Lyle Tabata
Deputy County Engineer

DEPARTMENT OF PUBLIC WORKS

County of Kaua'i, State of Hawai'i

4444 Rice Street, Suite 275, Līhu'e, Hawai'i 96766
TEL (808) 241-4992 FAX (808) 241-6604

MAR 27 2012

The Honorable David Y. Ige, Chair
and Members of the Ways and Means Committee, State Senate
Hawaii State Capitol, Room 215

Subject: **HB2589 HD2, Relating To Vessels**
Title: Vessels; Custody and Disposition
Description: Clarifies responsibility for disposing of vessels and amends the description of an abandoned vessel.

Dear Chair Ige,

My name is Larry Dill, County Engineer, Department of Public Works, County of Kaua'i (County), testifying in opposition of House Bill 2589 HD2 relating to vessels.

Currently, abandoned vessels (boats, etc.) are the jurisdiction of the Department of Land and Natural Resources (DLNR). House Bill HB2589 proposes to transfer the burden of responsibility and associated liabilities to Counties, for vessels abandoned on property under County jurisdiction, without adequate provisions for resources or funding.

With no indication of what the fiscal and administrative impacts would be, the County is constrained to oppose HB2589. We are unprepared to assume the new and potentially high cost associated with managing abandoned vessels. Loading, transport, storage, appraisal, hearings process, and disposal tasks would require hiring of service contractors/vendors and a new County staff position to administer the program. Funds would be needed for the new County position and service contracts to comply with applicable rules and statutory requirements. Securing and maintaining new storage capacity, for vessels in custody, with the appropriate land use and operational entitlements will increase additional costs to the County.

The statute requires proceeds from an auctioned vessel to be apportioned to cover various expenses of the DLNR and the agency which takes custody of a vessel. The proposed bill does not indicate the priority for apportioning proceeds, so it is unclear if County expenses can be made whole first before DLNR/State expenses.

Finally, compared to the current administrative process to notify owners of vessels taken into custody, obtaining registered owner information will be more tedious and time consuming for a County since ownership records reside with the DLNR, the Coast Guard or both agencies. The agency currently responsible for registering vessels is in a position to perform the task of notifying owners most efficiently.

We thank the Committee for the opportunity to testify in opposition of HB2589 HD2.

Sincerely,

Larry Dill, P.E.
County Engineer

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

March 27, 2012

TO: Honorable David Y. Ige, Chair
Senate Committee on Ways and Means

FROM: Joseph Pontanilla, Council Vice- Chair

A handwritten signature in black ink, appearing to read "Joseph Pontanilla".

DATE: Thursday March 29, 2012

SUBJECT: **OPPOSITION TO HB 2589, HD 2, SD1 RELATING TO VESSELS**

Thank you for the opportunity to testify in opposition of this measure. I provide this testimony as an individual member of the Maui County Council.

I **oppose HB 2589, HD 2, SD 1** for the reasons cited in testimony submitted by Maui County Council Chair Danny A. Mateo and urge you to oppose this measure.

12:03:28:kbm/JP: HB 2589 HD2 SD1

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
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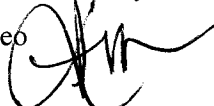


Director of Council Services
Ken Fukuoka

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March 27, 2012

TO: The Honorable David Y. Ige, Chair
Senate Committee on Ways and Means

FROM: Danny A. Mateo
Council Chair 

SUBJECT: **HEARING OF MARCH 29, 2012; TESTIMONY IN OPPOSITION TO HB 2589,
HD2, SD1, RELATING TO VESSELS**

Thank you for the opportunity to testify in opposition to this important measure. The purpose of this measure is to clarify the responsibility for disposing of abandoned vessels, and amend the definition of an abandoned vessel.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I oppose this measure for the following reasons:

1. This measure transfers the responsibility for the removal of abandoned vessels from the State to the counties when the vessel is abandoned on county property; however, the measure fails to provide any corresponding source of funding to cover the counties' costs to start a removal program, and to pay for future removal operations.
2. In testimony before the House Committee on Water, Land & Ocean Resources, the Department of Land and Natural Resources confirmed that "disposition is both costly and time-consuming." This bill shifts the costly and time-consuming responsibility to dispose of abandoned vessels to the counties, without also funding the mandate.
3. If this measure is passed, it should be revised to include an unspecified amount to provide funding for the counties to establish and continue vessel removal programs.

For the foregoing reasons, I oppose this measure.

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