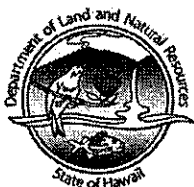


NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of  
WILLIAM J. AILA, JR.  
Chairperson**

**Before the House Committee on  
WATER, LAND, AND OCEAN RESOURCES**

**Friday February 4, 2011  
Time 9:00 A.M.  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 501  
RELATING TO MEMORIALS**

House Bill 501 proposes to establish a new task force to develop recommendations and proposed legislation to regulate coastal memorials that are established along coastal areas to commemorate the death of another person. While acknowledging the merits of proposed effort to better manage coastal memorials, the Department cannot support this measure.

The Department continues to face severe budget cutbacks. The Department's general fund appropriations and special fund revenues have dropped significantly over the last several years, and the Department lost more than 10% of its positions over the past two years. The bill imposes duties that would require a substantial amount of staff time and funding. The Department simply does not have the resources and staffing necessary to undertake the additional duties that would be required under this bill.

The Department recognizes that the establishment of any land use within the Conservation District requires authorization, and that most coastal memorials that are located seaward of the shoreline in the Conservation District have not received proper authorization. However, because we do not always know who constructed the memorial, these matters are difficult to resolve. Moreover, deconstructing the memorials may appear to many as disrespectful.

We respectfully ask that this matter be tabled to give the Department more time to consider how to manage the situation within its current regulatory and management framework, prior to compelling us to form a new task force that will further inhibit our ability to manage the core functions of the Department.

WILLIAM J. AILA, JR.  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION  
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LEGISLATIVE REFERENCE BUREAU  
State of Hawaii  
State Capitol  
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Honolulu, Hawaii 96813

## Written Testimony

### **H.B. 501**

### **RELATING TO MEMORIALS**

Testimony by the Legislative Reference Bureau  
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the House Committee on Water, Land & Ocean Resources

February 4, 2011,  
Conference Room 325

Chair Chang and Members of the Committee:

Thank you for the opportunity to comment on H.B. No. 501, Relating to Memorials.

This bill establishes the coastal memorials task force within the department of land and natural resources (DLNR) for administrative purposes, to review and evaluate the practice of, and develop standards for, erecting coastal memorials. The task force is required to report its findings and recommendations to the legislature, including any proposed legislation, no later than twenty days prior to the convening of the regular session of 2012. The bill also requires the legislative reference bureau (LRB) to assist the coastal memorials task force "in preparing its findings, recommendations, and proposed legislation; provided that the chairperson of the task force shall submit the necessary information therefor to the legislative reference bureau for drafting no later than November 1, 2011."

We note that, historically, temporary entities that are administratively attached to executive branch agencies have their administrative and support needs (e.g., staffing, report writing, etc.) handled by the executive agency to which they are attached. Accordingly, while LRB is capable of handling the drafting of proposed legislation for the task force, any note taking and report writing responsibilities would more appropriately be handled by DLNR.

In the alternative, we would request that the Committee consider amending the bill to clarify the LRB's role, by requiring submittal of a "proposed draft" to the LRB, rather than submittal of "necessary information" to the LRB.

The LRB would be happy to assist the Committee in drafting the committee report and any amendments the Committee decides to make to the bill.

### har3 - Megan

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 03, 2011 6:50 PM  
**To:** WLOtestimony  
**Cc:** jrallya@hawaii.rr.com  
**Subject:** Testimony for HB501 on 2/4/2011 9:00:00 AM

Testimony for WLO 2/4/2011 9:00:00 AM HB501

Conference room: 325  
Testifier position: support  
Testifier will be present: No  
Submitted by: Jackie Ralya  
Organization: Individual  
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Submitted on: 2/3/2011

**Comments:**

In addition to Coastal memorials, the HB501 should extend to all memorials on public property....light poles, sidewalks, along side roads, highways etc. Memorials wrapped around a utility pole is hazardous. Others along the highway create an eyesore and contribute to blowing trash not to mention the distraction to passing motorists and safety of the mourners. Hawaii should be clean, green and beautiful for all to enjoy.