



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

NEIL ABERCROMBIE
GOVERNOR

RICHARD C. LIM
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

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Statement of
RICHARD C. LIM
Director

Department of Business, Economic Development & Tourism
before the

HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT & BUSINESS

HOUSE COMMITTEE ON WATER & LAND

Tuesday, March 19, 2013
9:00 a.m.
State Capitol, Conference Room 312
in consideration of

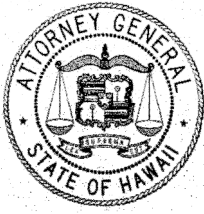
**SB 215, SD 3
RELATING TO ECONOMIC DEVELOPMENT.**

Chairs Tsuji & Evans, Vice Chairs Ward & Lowen, and Members of the
Committees.

The Department of Business, Economic Development and Tourism supports
Senate Bill 215, SD 3, which establishes a public-private partnership authority (PPPA);
requires a pilot project; and appropriates funds for the operation of the PPPA to be
expended by DBEDT.

DBEDT defers to other appropriate state agencies for further comments on this
measure.

Thank you for the opportunity to testify on this bill.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2013**

ON THE FOLLOWING MEASURE:

S.B. NO. 215, S.D. 3, RELATING TO ECONOMIC DEVELOPMENT.

BEFORE THE:

HOUSE COMMITTEES ON ECONOMIC DEVELOPMENT AND BUSINESS
AND ON WATER AND LAND

DATE: Tuesday, March 19, 2013

TIME: 9:00 a.m.

LOCATION: State Capitol, Room 312

TESTIFIER(S): David M. Louie, Attorney General, or
Margaret S. Ahn, Deputy Attorney General

Chairs Tsuji and Evans and Members of the Committees:

The Department of the Attorney General provides the following comments on this bill.

This bill creates the Public-Private Partnership Authority (Authority) which shall implement three pilot projects on behalf of public agencies—a film production facility on state lands, a main-street project on state lands, and a county initiated project.

We respectfully recommend the following amendments to this bill:

1. Section 1, page 4, lines 12-20 – this bill does not provide the option for the ex officio members of the Authority’s board of directors to send a substitute to meetings. In this bill, the ex officio members include the Comptroller or the Comptroller’s first deputy, the Director of Finance, and the Director of Business, Economic Development, and Tourism. It is common for an ex officio member to be authorized to designate a representative in his or her place. If this is the intent, “or designated representative” should be added to page 4, lines 17, 18, and 20. Also on page 4, line 14, the term “ex officio” should be deleted, as it indicates that there is only one ex officio member, when instead there are four.
2. Section 1, page 4, lines 21-22, and page 5, lines 1-2, 5-6, and 11-12 – this bill provides for direct legislative appointments to a board that performs executive functions, which may be challenged as a violation of the constitutional separation of powers doctrine. Pursuant to section 26-34, Hawaii Revised Statutes, members of boards and commissions must be nominated by and with the advice and consent of the Senate and appointed by the Governor. The Authority’s and its board of directors’ function (implementing projects on

behalf of public agencies) would likely be construed as an executive function. Therefore, we recommend that the two legislative appointments by the Speaker of the House and by the President of the Senate be revised so that the appointments are made “by the Governor from lists provided by the Speaker of the House and the President of the Senate, in accordance with section 26-34.”

3. To clarify whether the nonvoting member counts for quorum, we recommend that wording be inserted in section 1 of this bill to clarify the number of members required for quorum and the number of votes required to pass an action by the board. For example, “Three members shall constitute a quorum and a minimum of three affirmative votes shall be necessary for all actions by the board.”
4. Section 1, page 6, lines 9-11 – although this bill authorizes the Authority to lease property from public agencies for its projects, the power to lease is not specifically included in the general powers of the Authority on page 6. For consistency and clarity, we recommended that lines 9-11 on page 6 be amended to read, “(5) Make and execute contracts, leases, and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter;”
5. Section 1, page 9, lines 8-11 – this section provides that any revenues generated from the public-private partnership projects shall be deposited into the general fund. We recommend that this section be amended to specify which of the following revenues generated from the projects are to be deposited into the general fund-revenues received by (1) the Authority, (2) the public agency on whose behalf the Authority is implementing the project, or (3) the private partner.
6. Section 2, page 10, line 9-10 – the reference to “section ___-4(a)(4), Hawaii Revised Statutes” should be amended to “section ___-4(4) of the new chapter added to the Hawaii Revised Statutes by section 8 of this Act.”

We respectfully ask that your Committees make the foregoing recommended amendments.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

**Before the House Committees on
ECONOMIC DEVELOPMENT & BUSINESS
and
WATER & LAND**

**Tuesday, March 19, 2013
9:00 AM
State Capitol, Conference Room 312**

**In consideration of
SENATE BILL 215, SENATE DRAFT 3
RELATING TO ECONOMIC DEVELOPMENT**

Senate Bill 215, Senate Draft 3, proposes to establish the public-private partnership authority (PPPA) to administer appropriate and culturally-sensitive projects and to authorize the PPPA to initiate pilot projects. **The Department of Land and Natural Resources (“Department”) supports this measure and provides the following comments.**

Public-private partnerships are used worldwide to address economic challenges faced by governments. The Department has been over-extended by our many diverse missions and severely limited resources. The PPPA will facilitate collaboration among all state agencies and private sector entities is an efficient and effective means to deliver services and facilities to the public. It will provide a uniform and consolidated approach that optimally utilizes the special skills and assets of diverse entities to undertake public projects for the economic, environmental, and social benefit of the people of Hawaii. The PPPA will coordinate and administer projects, while ensuring that the State’s precious resources are maintained in an appropriate and culturally-sensitive manner for the people of Hawaii. It will do so transparently while operating in conformance with all applicable sunshine, environmental, cultural, historical, land use, zoning and permitting laws.

While the PPPA is currently limited to three pilot projects in this measure, the Department believes it could potentially be an effective vehicle for maintaining and improving certain public lands that are greatly underutilized and in severe need of repair and maintenance, particularly small boat harbors and state parks. As such, the Department supports Senate Bill 215, Senate Draft 3, for its potential to facilitate and enhance the use of public lands for public purposes.

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

ESTHER KIA’AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

The Department urges the Committees to add another pilot project to SECTION 2, PART II of the measure to demonstrate the effectiveness of using a public-private partnership for maintaining and improving state recreational assets. The Department recommends the addition of the following pilot project:

“(4) A small boat harbor facility on the west side of the island of Hawaii.”



SB215 SD3
RELATING TO ECONOMIC DEVELOPMENT
House Committee on Economic Development & Business
House Committee on Water & Land

March 19, 2013

9:00 a.m.

Room 312

The Office of Hawaiian Affairs (OHA) offers the following comments on SB215 SD3, which would establish the Public Private Partnership Authority (PPPA) to administer appropriate and culturally-sensitive projects and require the implementation of specific pilot projects.

OHA notes and appreciates that some of the concerns OHA and OHA's beneficiaries have raised over the past two years with regards to the PLDC have been addressed in this measure. Specifically OHA notes that SB215 SD3:

- Does not authorize the broad land use and zoning exemptions provided to the PLDC;
- Deleted the provision that would have allowed the counties to waive zoning, land use, and permitting requirements for PPA projects;
- Appears to anticipate that the public lands will not be transferred in fee to the PPPA (If that is the intent, this committee may want to incorporate language that specifically states that public agencies may not transfer public lands in fee simple to the authority); and
- Appears to provide for a more appropriate project implementation process by requiring the PPPA, prior to implementing a project, to submit a proposed plan to and obtain the prior approval of any public agency affected.

OHA notes, however, that the establishment of the PPPA may raise other concerns. OHA requests reconsideration of the following provisions:

- **The composition of the PPPA Board.** OHA applauds the inclusion of a member of the aha moku council that serves the moku in which a project is anticipated to occur. This board member, however, would only be advisory. The intrinsic value of public lands to Native Hawaiians and the larger public, as well as the enormous socioeconomic benefits provided by our undeveloped public land base, counsel the inclusion of additional **voting** members. These additional voting members would better ensure transparency in PPPA board decisions, and provide necessary checks and balances in the potential long-term commitment of our public lands for development projects. OHA points to SB405, a bill in OHA's 2013 Legislative

Package, which would have added two seats to the PLDC – one for OHA’s administrator, or the administrator’s designee, and another for an individual with expertise in sustainable planning and natural resource management. The majority of Hawai’i’s public lands were “ceded” to the United States as a result of the unlawful overthrow of the Kingdom of Hawai’i, and these additional voting members would help the state to carry out its mission to develop a culturally sensitive land development program, and to maintain its legal and moral commitments to the reconciliation and reparatory justice for the Native Hawaiian people.

- **The transfer of management rights.** SB215 SD3 authorizes public agencies to transfer management rights for projects to the PPPA notwithstanding HRS Ch. 171. It then authorizes the PPPA to lease properties from or agree to manage properties of a public agency. OHA notes that, to the extent that the transfer of management rights to a project involves the management of public lands, as defined under HRS Ch. 171, the lease, license, set aside and other disposition provisions should be applicable. HRS Ch. 171 provides a complete statutory scheme for governing the fiduciary duties of the State of Hawai’i for managing and disposing of its most valuable resources – its public lands – which are held in trust for native Hawaiians and the public. As the Hawai’i Supreme Court has explained, “[t]he overall purpose of this chapter [HRS 171] and particularly of those sections dealing with the lease of public lands is to preserve the assets of the State and to provide” guidance to the State “in the management of these assets.”¹ OHA’s administration objects to the provision authorizing the transfer of management rights, to the extent that the provision seeks to empower the PPPA to bypass HRS Ch. 171.
- **Public Land Trust Revenue.** In order to give the PPPA appropriate and sufficient guidance in carrying out its duties and commitments to the Native Hawaiian people, this bill should clarify that the PPPA must comply with OHA’s right to the constitutionally-mandated pro-rata portion of public land trust revenues. OHA notes that the proposed SD1 of SB215 attempted to clarify this. OHA offers the following language – which was included in SB405, a bill in OHA’s 2013 Legislative Package - to address this issue: Notwithstanding any provision of this chapter to the contrary, the corporation shall be subject to Act 178, Session Laws of Hawai’i 2006, or any other law that provides for the office of Hawaiian affairs’ pro rata portion of the public land trust, pursuant to article XII, section 6 of the state constitution, and section 10-3.
- **The PLDC still exists.** At this time there are two measures—which OHA supports—moving in both houses of the Hawai’i State Legislature that would repeal the law that created the Public Land Development Corporation. Until the repeal of the PLDC law is complete, this measure creating what appears to be a PLDC alternative may be premature.
- **Public-Private Partnerships.** Public private partnerships may raise additional concerns. This includes the potential loss of state revenues, the loss of public interest considerations and accountability, and the loss of quality jobs for local

¹ *Big Island Small Ranchers Ass’n v. State*, 60 Haw. 228, 588 P.2d 430 (Hawaii, 1978).

residents. As has been demonstrated in Hawai'i and in other jurisdictions, the privatization of public assets has the potential to result in substantial lost revenue opportunities for public agencies. Often, privatization takes the form of a one-time infusion of private monies in exchange for a long-term lease of revenue-generating assets. This has the potential to result in significant lost revenue opportunities in the long term. With regards to loss of public interest considerations, as indicated here and on the continent, while the privatization of public assets may help to increase the efficiency of public projects and developments, private entities have a very difficult time addressing additional public interest considerations that are not firmly linked to revenue generation. These other considerations may include access for fishing, gathering, and recreation, all of which are an important part of Native Hawaiian and local culture. Privatization of public assets, particularly through long-term leases or contracts, can also have the unintended consequence of diminishing public and government accountability over the use and maintenance of such assets. Without adequate lease protections, public agencies may be reduced to a "middleman" position where they have limited ability to address public concerns absent expensive contract or lease renegotiations. Finally, while public state agencies traditionally employ local residents, larger national or multi-national corporations with the capital to engage in public private partnerships may tend to outsource or hire individuals who are not permanent residents. OHA understands that these issues may be addressed by appropriate and transparent planning. OHA also notes that the SD3 version of SB215 essentially creates the PPPA for a trial period until July 1, 2018 and prevents the PPPA from entering into any projects other than the described pilot projects.

- **PPPA's adoption of rules is purely discretionary.** The PLDC's discretion to adopt administrative rules if desired, in lieu of a mandate to adopt such rules, was a point of contention for many community members, and this committee may want to avoid similar contention by mandating the adoption of administrative rules pursuant to Chapter 91 and setting forth the scope of this requirement.

Mahalo for the opportunity to testify on this important measure.

Council Chair
Gladys C. Baisa

Vice-Chair
Robert Carroll

Council Members
Elle Cochran
Donald G. Couch, Jr.
Stacy Crivello
Don S. Guzman
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
David M. Raatz, Jr., Esq.

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

March 18, 2013

TO: The Honorable Clift Tsuji, Chair
House Committee on Economic Development & Business

The Honorable Cindy Evans, Chair
House Committee on Water & Land

FROM: Gladys C. Baisa
Council Chair

A handwritten signature in cursive script, appearing to read "Gladys C. Baisa".

SUBJECT: **HEARING OF MARCH 19, 2013; TESTIMONY IN SUPPORT OF SB 215, SD3,
RELATING TO ECONOMIC DEVELOPMENT**

Thank you for the opportunity to testify in general support of this important measure. The purpose of this measure is to establish the Public-Private Partnership Authority to identify projects and coordinate, administer, and enter into public-private agreements to deliver services and facilities for the economic, environmental, and social benefit of the people of Hawaii.

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.

While I generally support the concept of this measure, I cannot fully support the measure until, and unless, the following occur:

1. Chapter 171C, Hawaii Revised Statutes, relating to the Public Lands Development Corporation is repealed.
2. The State shall have no authority to exempt any project from special improvement district ordinances or statutes.
3. The legislature recognizes and shall not infringe upon the counties' home rule authority granting final approval for projects proposed for development on county land by amending Part I, Section 5 to insert Subsection (e) to read as follows:

(e) The counties may, by ordinance, waive County zoning, land use, and permitting requirements on any project; provided that the authority shall enter into a development agreement with the county prior to project construction.

If the foregoing actions are taken, I will be in full support of this measure.

Council Chair
Gladys C. Baisa

Vice-Chair
Robert Carroll

Council Members
Elle Cochran
Donald G. Couch, Jr.
Stacy Crivello
Don S. Guzman
G. Riki Hokama
Michael P. Victorino
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March 18, 2013

TO: The Honorable Clift Tsuji, Chair
House Committee on Economic Development & Business

The Honorable Cindy Evans, Chair
House Committee on Water & Land

FROM: Michael P. Victorino
Council Member

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BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

"Building Better Communities"

**Testimony to the House Committees on
Economic Development and Business, and Water and Land
Tuesday, March 19, 2013
9:00 a.m.
State Capitol - Conference Room 312**

RE: S.B. 215, S.D. 3, RELATING TO ECONOMIC DEVELOPMENT

Dear Chairs Tsuji and Evans, Vice-Chairs Ward and Lowen, and members of the Committees:

My name is Gladys Marrone, Government Relations Director for the Building Industry Association of Hawaii (BIA-Hawaii), the voice of the construction industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, affiliated with the National Association of Home Builders.

BIA-Hawaii offers the following comments on S.B. 215, S.D. 3, which proposes to create a vehicle and process to use the skills and assets of both the public and private sectors to deliver services and facilities for the economic, environmental, and social benefit of the people of Hawaii. This chapter establishes the public-private partnership authority to administer appropriate and culturally-sensitive projects. The authority shall coordinate and administer projects, while ensuring that resources are maintained for the people of Hawaii. The authority shall identify projects that are suitable under this chapter, carry out appropriate analyses, enter into public-private agreements, and provide the leadership for the development, financing, improvement, or enhancement of appropriate facilities, operations, and property.

Two pilot projects have been identified in the bill to be developed by the new authority. The two are: a film production facility on state lands in Kapolei and a main street project on state lands in Wahiawa.

In addition, the proposed legislation would require projects to secure all the necessary government approvals and permits. Typically, the use of state owned lands would trigger a document prepared in accordance with Chapter 343 HRS (Environmental Assessment or Environmental Impact Statement). This would include an analysis on the specific site of the flora, fauna, noise, air quality, cultural assessment, economic assessment, and traffic assessments to name a few. It would also require that the land be zoned appropriately for the proposed uses. To allow for a range of mixed uses, BMX or some type of hybrid zoning would be appropriate.

The Chapter 343 HRS compliance and zoning are usually done prior to an RPF is issued to select a developer. There is additional risk to the project if the Chapter 343 HRS compliance and zoning are not done prior to the selection process.

Perhaps the focus of either bill should be on developing an open, transparent and competitive process that results in the "Best Value" for the state while being as inclusive as possible with public/community involvement, and provide a level of certainty for an investor/developer. The process would need to address the Chapter 343 HRS requirements, re-zoning and a disposition based on "best value" and not necessarily the highest bidder.

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W. Bruce Barrett

Castle & Cooke Homes Hawaii, Inc.

Representatives Tsuji and Evans, Chairs
Committees on Economic Development and Business and Water and Land
Tuesday, March 19, 2013
S.B. 215, S.D. 3

We believe the bill is a step in the right direction but needs to specifically address the Chapter 343 HRS requirements, the rezoning process, and a disposition process that will encourage creative solutions based on "best value" as opposed to the highest bidder.

Thank you for this opportunity to express our views.

edbtestimony

From: Robert Petricci [nimo1767@gmail.com]
Sent: Sunday, March 17, 2013 10:38 PM
To: waltestimony; edbtestimony
Subject: Testimony RE: SB215 SD3 EDB/WAL 312 Mar 19, 2013 9:00 AM

EDB/WAL 312 Mar 19, 2013 9:00 AM

Testimony RE: SB215 SD3

Robert Petricci

Representing: Puna Pono Alliance

Position: Strong opposition.

Aloha

Rep. Clift Tsuji, Chair WAL, Rep. Gene Ward, Vice Chair, and committee members.

Rep. Cindy Evans, Chair EDB, Rep. Nicole E. Lowen, Vice Chair, and committee members.

The electorate across Hawaii has made clear our opposition to PLDC type corporations controlling our lands.

Puna Pono Alliance strongly opposes SB215 for the same reasons we oppose the PLDC. We see SB215 is just an end run to try and get around the huge public opposition to PLDC and this type of legislation. Once these lands are gone they are not coming back. We request

these lands instead be protected for our future in perpetuity not used for short term profits and revenue generation at the expense of our aina and keki.

We have lost so much of our land and lifestyle in Hawaii to special interest already that the little we have left must be vigilantly guarded.

Puna Pono Alliance ask you to join us and residents across Hawaii in opposing SB215 and the other PLDC type revenue generation schemes that sell our future out for short term gains that benefit for all intents and purposes as we see are mismanaged agencies, that have succumbed to special interest influence.

We see this as another attempt to put lip stick on the Public Land Development Corporation. Will you listen to the people across this state? We have been clear, by any name the Public Land Development Corporation and its exploitation of public lands for private and political purposes is repulsive to us. Whether re-named as a Public Private Partnership Corporation (PPPC) or a Public Private Partnership Authority (PPPA). It's the foundation these entities are built on that we oppose.

DBEDT, DLNR, and the state need to quit looking to selling off our dwindling natural resources to expanded budgets even more, and instead learn to cut the fat, eliminate the mismanagement and learn to live within their already substantial means.....

Puna Pono Alliance stands in solidarity with the groups across this state in opposition to this legislation. We view SB215 SD3 as another attempt to exploit protected public land for private purposes, we view this as a mistake that will benefit special interest at the expense of our future, natural resources and our way of life. We ask you to hold SB 215 Proposed SD1

Thank you for your consideration.

Robert Petricci

President Puna Pono Alliance



HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO

Gentry Pacific Design Center, Suite 215A * 560 N. Nimitz Highway, #50 * Honolulu, Hawaii 96817
(808) 524-2249 - FAX (808) 524-6893

KIKA G. BUKOSKI
Executive Director

March 18, 2013

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Workers United Union of Roofer
Local 221

Honorable Representative Clift Tsuji, Committee Chair
Honorable Representative Gene Ward, Committee Vice Chair
Hawaii State House of Representatives-Committee on Economic Development & Business
Honorable Representative Cindy Evans, Committee Chair
Honorable Representative Nicole Lowen, Committee Vice Chair
Hawaii State House of Representatives-Committee on Water & Land
Hawaii State Capitol
Honolulu, Hawaii 96813

Re: SB215SD3 RELATING TO ECONOMIC DEVELOPMENT which proposes to establish the public-private partnership authority (PPPA), to initiate pilot projects. The measure also appropriates funds to the authority.

Hearing: Tuesday, March 19, 2013, 0900, Room 312

Aloha Chair(s) Tsuji/Evans, Vice Chair(s) Ward/Lowen and Committee Members;

The Hawaii Building & Construction Trades Council, AFL-CIO (HBCTC) is comprised of various construction trade unions and represents the interests of over 15,000 of Hawaii's unionized construction trades men and women throughout the state. First organized in 1958, the HBCTC is a member of the AFL-CIO under our parent organization the Building and Construction Trades Department, a national organization representing the interests of organized construction trades since 1901.

I am submitting this written testimony in support of Senate Bill 215 SD3 which proposes to establish the public-private partnership authority (PPPA), to initiate pilot projects. The measure also appropriates funds to the authority.

Public-private partnerships have proven successful in projects that benefit the community and lessen the burden of cost to taxpayers. Senate Bill 215 SD3 allows for such partnerships to be considered while ensuring that processes to allow for public input and enforcement of health and safety standards continue to be met.

HBCTC has played an integral role in sustaining Hawaii's construction industry and continues to serve the community and its members through advocacy and education. Thank you for the opportunity to share our testimony in support of Senate Bill 215 SD3.

Mahalo;

Kika G. Bukoski
Hawaii Building and Construction Trades Council, AFL-CIO



**Testimony to the House Committees on
Economic Development and Business, and Water and Land
Tuesday, March 19, 2013
9:00 a.m.
State Capitol - Conference Room 312**

RE: SENATE BILL NO. 215, S.D. 3, RELATING TO ECONOMIC DEVELOPMENT

Chairs Tsuji and Evans, Vice Chairs Ward and Lowen, and members of the committees:

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

The Chamber of Commerce of Hawaii offers the following **comments on SB 215, SD 3**, which proposes to create a vehicle and process to use the skills and assets of both the public and private sectors to deliver services and facilities for the economic, environmental, and social benefit of the people of Hawaii. This chapter establishes the public-private partnership authority to administer appropriate and culturally-sensitive projects. The authority shall coordinate and administer projects, while ensuring that resources are maintained for the people of Hawaii. The authority shall identify projects that are suitable under this chapter, carry out appropriate analyses, enter into public-private agreements, and provide the leadership for the development, financing, improvement, or enhancement of appropriate facilities, operations, and property.

Two pilot projects have been identified in the bill to be developed by the new authority. The two are: a film production facility on state lands in Kapolei and a main street project on state lands in Wahiawa.

In addition, the proposed legislation would require projects to secure all the necessary government approvals and permits. Typically, the use of state owned lands would trigger a document prepared in accordance with Chapter 343 HRS (Environmental Assessment or Environmental Impact Statement). This would include an analysis on the specific site of the flora, fauna, noise, air quality, cultural assessment, economic assessment, and traffic assessments to name a few. It would also require that the land be zoned appropriately for the proposed uses. To allow for a range of mixed uses, BMX or some type of hybrid zoning would be appropriate.

The Chapter 343 HRS compliance and zoning are usually done prior to an RPF is issued to select a developer. There is additional risk to the project if the Chapter 343 HRS compliance and zoning are not done prior to the selection process.

Perhaps the focus of either bill should be on developing an open, transparent and competitive process that results in the "Best Value" for the state while being as inclusive as possible

with public/community involvement, and provide a level of certainty for an investor/developer. The process would need to address the Chapter 343 HRS requirements, re-zoning and a disposition based on “best value” and not necessarily the highest bidder.

We believe the bill is a step in the right direction but needs to specifically address the Chapter 343 HRS requirements, the re-zoning process, and a disposition process that will encourage creative solutions based on “best value” as opposed to the highest bidder.

Thank you for this opportunity to express our views.



Testimony of Cindy McMillan
The Pacific Resource Partnership

Committee on Economic Development and Business
Representative Clift Tsuji, Chair
Representative Gene Ward, Vice Chair

Committee on Water and Land
Representative Cindy Evans, Chair
Representative Nicole E. Lowen, Vice Chair

SB 215, SD3 – Relating to Economic Development
Tuesday, March 19, 2013
9:00 a.m.
Conference Room 312

Aloha Chairs Tsuji and Evans, Vice Chairs Ward and Lowen, and Members of the Committees:

The Pacific Resource Partnership (PRP) is a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters.

PRP provides the following comments supporting the intent of SB 215, SD3 Relating to Economic Development. This bill establishes a public-private partnership authority (“Authority”) to administer three pilot programs while ensuring that resources are maintained for the people of Hawaii. The authority shall identify projects that are suitable under this chapter, carry out appropriate analyses, enter into public-private agreements, and provide leadership for the facilitation of financing, improvement, or enhancement of appropriate facilities, operations, and property.

PRP believes a formalized process that allows state agencies to explore potential public-private partnerships would be worthwhile. The Department of Business, Economic Development, and Tourism (DBEDT) has the expertise and long-standing experience needed to appropriately explore the potential opportunities and administer the proposed Authority.

March 19, 2013

Testimony Supporting SB 215, Proposed SD3 – Relating to Economic Development

Page 2

We are particularly pleased to note that the Authority and all projects implemented under this chapter “shall comply with all state laws.” PRP expects that public input will be an essential part of the planning and implementation process.

Finally, we believe the annual reporting requirements are important. The final report required upon completion of each pilot project should be detailed and inform the public of the results, challenges, and implications for future potential projects.

Thank you for the opportunity to share our views on this matter with you.

LATE Testimony of Robert Loy

The Outdoor Circle

SB 215 SD3

House Committee on Economic Development and Business

House Committee on Water and Land

March 19, 2013 9:00 AM Room 312

RE: Opposition to SB 215 SD3-relating to Economic Development

The proposed Public Private Partnership Authority (PPPA) is similar to the Public Land Development Corporation (PLDC) which has been one of the most polarizing and universally opposed pieces of legislation in recent years. The Outdoor Circle strongly opposes the PLDC and has serious reservations about the PPPA.

Under SB 215 SD3, the PPPA Board of Directors would consist of five voting members with only three members constituting a majority vote that would decide the future of the projects it considers. Since three of the five are members of the Governor's cabinet, the governor ostensibly controls the PPPA. We believe this does not provide the balance needed to represent broad public interest. Instead, all of the power will be vested in the Governor.

Since first introduced the initial scope of the PPPA has been considerably scaled back in the face of strong testimony against it. The SD3 reflects the following changes:

- no longer will any of the projects be on conservation, park, preservation land, etc
- the PPPA would be limited to three projects, none of which are clearly described and for which there is no requirement for public hearings or input of any kind
- deleted is a section giving the counties the right to exempt PPPA projects from County zoning, meaning that now there are no exemptions
- there is now a sunset date of 2018

These changes were made by sponsor, Sen. Donovan Dela Cruz, after multiple conversations with The Outdoor Circle, and others. We appreciate Senator Dela Cruz's efforts to seek out and include divergent viewpoints. However, we note that Sen. Dela Cruz has initiated a "gut and replace" strategy on HB 70, which has had its content replaced with the content of SB215 SD3. HB 70 SD1 was heard yesterday (March 18) by the Senate Committee on Economic Development, Government and Housing, which he chairs. Thus, Sen. Dela Cruz has set the stage for a conference committee where House and Senate conferees will decide the wording of HB 70 SD1, with no additional input from the public.

We urge you to amend SB 215 SD3 to correct the problems noted with Board composition and the need for adequate public hearings on all PPPA projects and to consider strategies to deal with the potential fallout from having different bills in each house with the same focus yet potentially divergent content.

UNITE HERE!

LOCAL  HAWAII

Eric Gill, Financial Secretary-Treasurer

Hernando Ramos Tan, President

Godfrey Maeshiro, Senior Vice-President

Monday, March 18, 2013

Chairs and Committee Members

Joint Hearing of the House Committees on Economic Dev. & Business and Water & Land

Hawaii State Legislature

State Capitol

415 S. Beretania Street

RE: SB 215, SD 3 re: Economic Development

Chair Tsuji, Chair Evans and members:

UNITE HERE Local 5, a local labor organization representing nearly 10,000 hotel, health care and food service workers employed throughout our State, would like to offer comments in opposition to SB 215, SD 3 that would create the “Public-private partnership authority.”

We are in agreement with your Committees, we must work diligently to secure our State’s economic future, and we must dutifully examine the long-term impact regarding the functionality of State agencies. But we need to address these questions from a more sensible perspective. Why are we moving forward with gambling away our State’s long-term economic viability with support for an agency that’s so similar to the PLDC?

Our reality is such that our people are being pushed off our islands while so many of us can’t afford homes. More and more of our local jobs go to mainland companies while locals struggle to earn a living wage, and that is why alongside other community leaders we launched a new movement called AiKea. AiKea is aimed at encouraging participation in our political system and encapsulates a growing need of putting power back in the hands of working people.

Unfortunately, so many of our members do not have the luxury of being able to attend nor keep-up with the flurry of legislation that comes before the Legislature each session. Yet, we want to be more engaged because we are so deeply concerned about the future of our island community.

Here’s what’s really happening.

In each of our two largest industries – hotel and health care – we are seeing drastic cuts in good jobs. Permanent jobs that help contribute to our State’s tax base. In the last six years alone, and in spite of record profits and record number of visitors to our islands, we’ve lost 1,600 good paying union hotel jobs, and this does not include the hundreds if not thousands of workers who have seen their hours cut. These are permanent jobs with full family health care, a pension, and retiree benefits.

Some things just don’t add up. Booming tourism and health care profits, yet less and less jobs each year.

We're losing good jobs to the banks and developers that are seeking to secure even more profits with each new speculative development plan, condo-conversion, time share operation, or new development of limited-service hotels. This is the real problem facing our community. Agencies like the PLDC and the proposed PPPA do not help. They distract and keep us from realizing the more sensible solutions that are worthy of our attention. Billions of dollars are being sucked out of our local economy and the people are paying more than their fair share.

In the hearts and minds of nearly every one of our members the task is quite simple. We need to address meaningful solutions that keep good jobs in our islands. We shouldn't have to create agencies like the PPPA. It's unnecessary.

Hawaii can be a place for us to continue to work, play and raise our families. Hawaii can support a robust tourism industry with good jobs. Hawaii can be economically sustainable, but we must be willing to hold the large banks and developers accountable to our needs. And that is the task that we are most excited about working with you on. For it should come as no surprise that the increasing strain on our State coffers - which has resulted in the debate over the creation of the PLDC and the current "Public-private partnership authority" - and the loss of thousands of good jobs in our number one industry have not come about in isolation of one another.

We need your help in securing what good jobs remain in our islands, rather than move on selling of our futures.

We thank you for allowing us to comment on SB 215, SD 3.

edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 15, 2013 3:22 PM
To: edbtestimony
Cc: akamaimom@gmail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/15/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Felicia Cowden	Individual	Oppose	No

Comments: I again oppose this legislation that is another form of the Public Land Development Corporation. The Public Private Partnerships are a breach of trust. Please stop putting forward the legislation that places corporate interests ahead of the rights and protection of the people. It is unconstitutional. STATE CONSTITUTION THE CONSTITUTION OF THE STATE OF HAWAII ARTICLE I BILL OF RIGHTS POLITICAL POWER Section 1. All political power of this State is inherent in the people and the responsibility for the exercise thereof rests with the people. All government is founded on this authority. [Am Const Con 1978 and election Nov 7, 1978]

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edbtestimony

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To: edbtestimony
Cc: Jackiaukea@yahoo.com
Subject: *Submitted testimony for SB215 on Mar 19, 2013 09:00AM*

SB215

Submitted on: 3/15/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Jack laukea	Individual	Oppose	No

Comments:

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Cc: Kealii8@hotmail.com
Subject: *Submitted testimony for SB215 on Mar 19, 2013 09:00AM*

SB215

Submitted on: 3/15/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Kealii Makekau	Individual	Oppose	No

Comments:

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Cc: haha@hawaii.rr.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/15/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
C. Kong	Individual	Oppose	No

Comments: We, the public, OPPOSE SB215 due to the IRREPARABLE HARM that it will inflict on the unique and fragile status of Hawaii's Land, Resources and quality of Life. We are also knowledgeable that the lands are not to be altered, disenfranchised, alienated or otherwise transformed because they are to be held in trust until the status of the Hawaiian Sovereignty is determined. In your deliberations, please keep in mind the following: STATE CONSTITUTION THE CONSTITUTION OF THE STATE OF HAWAII ARTICLE I BILL OF RIGHTS POLITICAL POWER Section 1. All political power of this State is inherent in the people and the responsibility for the exercise thereof rests with the people. All government is founded on this authority. [Am Const Con 1978 and election Nov 7, 1978]

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edbtestimony

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Cc: mauibrad@hotmail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/15/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Parsons	Individual	Oppose	No

Comments: PLDC 'Lite,' still no need. Aloha!

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edbtestimony

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To: edbtestimony
Cc: jeannine@hawaii.rr.com
Subject: *Submitted testimony for SB215 on Mar 19, 2013 09:00AM*

SB215

Submitted on: 3/16/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Oppose	No

Comments:

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edbtestimony

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Sent: Sunday, March 17, 2013 3:44 PM
To: edbtestimony
Cc: sundownertoni@yahoo.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Withington	Individual	Oppose	No

Comments: Hey, WAke up! This is PLDC. Say no to PLDC. Say no to this travesty of power in the hands of a few with no adequate review of decisions they make about our future. Vote NO.

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To: edbtestimony
Cc: athurston@irmt.org
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SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Thurston	Individual	Oppose	No

Comments:

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To: edbtestimony
Cc: kohala1@yahoo.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Joe Carvalho	Individual	Oppose	No

Comments: I oppose sb215 as it still is a covert pldc!

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edbtestimony

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To: edbtestimony
Cc: jemray@hawaii.rr.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Murray	Individual	Oppose	No

Comments: SB 215...Please stop making more PLDC bills. The People have made it clear. We don't want it. OPPOSE. Mahalo.

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edbtestimony

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Sent: Sunday, March 17, 2013 9:15 PM
To: edbtestimony
Cc: sherrianwitt@aol.com
Subject: *Submitted testimony for SB215 on Mar 19, 2013 09:00AM*

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Individual	Oppose	No

Comments:

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Sent: Sunday, March 17, 2013 9:27 PM
To: edbtestimony
Cc: OccupyHiloMedia@yahoo.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Kerri Marks	Individual	Oppose	No

Comments: strongly oppose

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To: edbtestimony
Cc: brksilva@gmail.com
Subject: *Submitted testimony for SB215 on Mar 19, 2013 09:00AM*

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Bronson K. Silva	Individual	Oppose	No

Comments:

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To: edbtestimony
Cc: anthuriumz@hotmail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Wynnie Hee	Individual	Oppose	No

Comments: This bill has all the same alarming powers of the infamous PLDC. Do not pass this bill. PLEASE! Like PLDC, SB 215 SD3 PPPA purposes are to "create a vehicle and process to use the skills assets of both the public and private sectors to deliver services and facilities for the economic, environmental, and social benefit of the people of Hawaii." Like PLDC, PPPA has a 6 member board of directors but only 5 voting members, 3 heads of state departments, 1 member appointed by the Senate president, 1 member appointed by the speaker of the House and 1 non-voting member from the aha moku advisory committee. Like PLDC, PPPA dictates that House- and Senate-appointed board members shall "have expertise in small and large businesses within the development or recreation industries, banking, real estate, finance, promotion, marketing or management." Like PLDC, PPPA will have an executive director who can appoint officers, agents, and employees; prescribe their duties and qualifications; and fix their salaries. Like PLDC, PPA has NO process for public hearings or public involvement on the projects other than the rule-making process.

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edbtestimony

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To: edbtestimony
Cc: momishells@msn.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Anna Subiono	Individual	Oppose	No

Comments: In fact, Public Hearings are needed so irresponsible environmentally degrading developments go through. I oppose. Toss it

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To: edbtestimony
Cc: fernnygirl@yahoo.com
Subject: *Submitted testimony for SB215 on Mar 19, 2013 09:00AM*

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Fern Rosenstiel	Individual	Oppose	No

Comments:

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To: edbtestimony
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Oppose	No

Comments: Aloha! Contrary to Sen Kahale's patronizing statement about people not knowing what they are testifying on, I beg to differ. I want you to know, I DID read the bill and I do not support it. Taxpayers are very busy and barely have time to utilize the web site, let alone make lengthy comments about each bill. All of these "PLDC Lite" bills are dangerous. Please take the time educate yourselves before voting on any of these scams. Please google "Failure of Public Private Partnerships"; many examples abound across the country and in most instances, taxpayers take the hit for these failed public policies. PPP's are not our friends, they are simply corporate raids on public assets.

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edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 17, 2013 11:44 PM
To: edbtestimony
Cc: barbarapolk@hawaiiintel.net
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/17/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara B. Polk	Individual	Oppose	No

Comments: I strongly oppose the establishment of this PLDC clone! I wonder what it is that this legislature does not understand about public opposition to this concept that has appeared in perhaps two dozen or more forms in this legislative session--apparently with the hope that a new committee will pass it. I oppose this bill because it is vague and it turns the responsibility of the legislature over to an unelected board, with little oversight. Why are the projects not clearly identified as to purpose and specific location? Clearly, someone has some specific plans in mind. Why are they not public? I would ask the members of the committee if they know what plans this bill would authorize. If not, please do not pass it! SB 215 appears to be another attempt to do an end- run around public input, for unstated purposes. It is not clear from reading the bill what the benefit to the State of Hawaii will be, nor is there any clear direction to the proposed PPPA to do anything for the public good! SB 215 is not ready for prime time. If there is some good in it, it needs far more public discussion of its specifics. Please do not pass this bill.

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edbtestimony

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Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/18/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
John Bond	Individual	Oppose	No

Comments: I am opposed to SB215 which has no process for public hearings or public involvement on the projects other than the rule-making process. John Bond

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Sent: Monday, March 18, 2013 1:03 AM
To: edbtestimony
Cc: rgalindez@islandfilmgroup.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/18/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Ricardo Galindez		Support	Yes

Comments: PPA - The construction of a film studio on Maui will not result in a substantial increase in film and television production, whereas a film studio on Oahu will result in a substantial increase in the number and scope of productions which will, in turn, increase film and television production activity on the neighbor islands.

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Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/18/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Wong	Individual	Oppose	No

Comments: I strongly oppose any PLDC Bills or Public Private morphing bills including all Public-Private Partnership Authority Bills.

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edbtestimony

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To: edbtestimony
Cc: bmurphy420@mail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/18/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Individual	Oppose	No

Comments: How there you!

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edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 18, 2013 7:36 AM
To: edbtestimony
Cc: kpterra@gmail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM
Attachments: sb215 testimony.docx

SB215

Submitted on: 3/18/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Kelly Pomeroy	Individual	Oppose	No

Comments:

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This bill has so little fleshed out that we can't really tell where it could lead. But it makes many of us nervous because it comes hard on the heels of the publically rejected PLDC and seems to spring from the same mind set.

It gives the citizens of Hawaii little say in the activities of the new agency or the fate our publicly-owned lands. Furthermore, the composition of the board is troubling. It would include three people appointed by the governor – initially by the same governor who has pushed so hard to allow environmental and other laws to be circumvented, and in the future by we don't know whom.

The other two voting members are required to come from sectors that are heavily weighted toward development interests. The environmental community would not be represented. The good government community (e.g. Public Citizen, League of Women Voters) would not be represented. A large portion of the recreation community would not be represented. The one person who would represent native Hawaiian interests would not even be allowed to vote! The fate of our public lands would be in the hands of three people with development bias.

Once a project is completed, what would be the respective roles and rights of the State of Hawaii and the private partner? When, if ever, would the private partner depart, or would this marriage last forever? Why is there no stipulation regarding the relative contributions and rewards of the partnership?

I urge you to vote down this bill, and not resurrect it or any of its avatars until you can come up with something that meets the many legitimate objections of the people of this state.

edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 18, 2013 7:39 AM
To: edbtestimony
Cc: barklessbrats@yahoo.com
Subject: *Submitted testimony for SB215 on Mar 19, 2013 09:00AM*

SB215

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Submitted By	Organization	Testifier Position	Present at Hearing
Louise Butler	Individual	Oppose	No

Comments:

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edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 18, 2013 8:23 AM
To: edbtestimony
Cc: Karen@RedwoodGames.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/18/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Chun	Individual	Oppose	No

Comments: Sen Dela Cruz and Solomon: Do you guys EVER GIVE UP????? You know the public opposes these PLDC look-alike bills and yet you keep introducing them. Kill this bill.

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edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 18, 2013 9:34 AM
To: edbtestimony
Cc: Lesliewingate7@gmail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/18/2013

Testimony for EDB/WAL on Mar 19, 2013 09:00AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Wingate	Individual	Oppose	No

Comments: Please do all you can to Keep us safe and healthy!

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edbttestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 18, 2013 10:10 AM
To: edbttestimony
Cc: toolohana@hawaiiantel.net
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM
Attachments: SB215 SD1.odt

SB215

Submitted on: 3/18/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Dr Laurence Tool	Individual	Oppose	No

Comments:

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Aloha Senators Ige, Tokuda, Kidani and Honorable Committee Members,

I am writing in flabbergasted opposition to this transparent attempt to smuggle the essentials of the PLDC in the back door, after it has been defeated and ushered out the front door. If the proposed Public Private Partnership Authority is such a great idea, why does it only appear as a “gut and replace,” as if the bill were ashamed of itself?

I admit that this version of the PLDC is more attractively packaged. As rogue agencies go, this one has cuter hair, and better pick up lines. It agrees to obey selected rules and regulations. It seems tied in some way to school and stadium renovation. It includes a mysterious pilot project on an unnamed island. It even chants reassuringly about respecting Hawaiian traditions.

But if we add up what it doesn't say, and ponder its vague and sweeping mandate, then we have to admit it's basically the same cynical end run around the rule of law and the will of the people. As most of those who have already testified *both for and against* this act have pointed out, the proposed new agency has no mechanisms of accountability, no clear source of funding, and no criteria for selecting its projects. All this bill really says is that certain people want access to public lands and public funds so they and their friends can do cool stuff. We should call it “The Just Trust Us Act.”

We elect you to make fair rules for all of us to live by, and most of you work very hard to do just that. Yet here is another bill that asks you to evade, avoid, gut or shred the rules you make. In essence, it asks you to undermine your own credibility and vote yourselves out of a job.

What could possibly justify that? All we get in this statute is a sob story: “Poor State Agencies, they have too little money and too many responsibilities. The best we can do is let them go into business for themselves, and sell off public assets to meet current expenses.”

Well, no. That's not the best government can do; it's just a seductive scam. Whatever fiscal crisis we face, we can meet it the way every responsible government does, by revising and modernizing regulations, prioritizing programs, making cuts and, if necessary, raising taxes. We are all perfectly willing to sacrifice, if we are approached by trustworthy leaders who explain the need, outline the alternatives, and ask for our help. The root problem with all these waiver bills is that they are a symptom – even a confession -- of a lack of leadership.

Those who stand to profit from this act will take their money and run. But the rest of us will be left to face the long term consequences, and we are the ones who will have to explain to our children why it was that we sold their birthright for a mess of pottage.

I implore you to reject this irresponsible bill.

edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 18, 2013 10:35 AM
To: edbtestimony
Cc: andi_longpre@hotmail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

Submitted on: 3/18/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
andrea longpre	Individual	Oppose	No

Comments: Changing the name doesn't change the game that Solomon is playing. Gerrymandering to get her in office and remove Dr. Green from representing us was just the first offense. Hiding her agenda to benefit Monsanto and herself is the second. Now that the people who were fooled by her are seeing what she's up to they are saying STOP. Why don't you listen to the people when they tell you STOP...you should be ashamed.

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edbtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 18, 2013 1:19 PM
To: edbtestimony
Cc: pbdocberry@gmail.com
Subject: Submitted testimony for SB215 on Mar 19, 2013 09:00AM

SB215

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Submitted By	Organization	Testifier Position	Present at Hearing
Paul Berry	Individual	Oppose	No

Comments: Senator, Please vote NO on SB215 SD 3, the zombie version of PLDC which grossly abuses the public's right to shape legislation and worse, continues to threaten reasonable county and environmental safeguards. Thank you, Paul Berry

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