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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Comments

HB2565 **RELATING TO MEMORIALS**

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

Presented to the House Committee on Ocean, Marine Resources, & Hawaiian Affairs

Friday, January 31, 2014, 8:30 a.m.
Conference Room 325

Chair Hanohano and Members of the Committee:

Thank you for the opportunity to comment on H.B. No. 2565, 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 2015. 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, 2014."

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, 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 LRB's role by requiring the transmittal of a "proposed draft" of the Task Force's report, including its findings and recommendations to LRB, rather than submittal of "necessary information...for drafting" as presently stated in the bill. In addition, we request that the Committee consider clarifying LRB's responsibilities if the Task Force *fails* to transmit the draft report to LRB by November 1, 2014. LRB's timely receipt of the draft report would allow

sufficient time for review by the Task Force of the report and necessary edits and still enable timely completion of the report. However, LRB's receipt of the draft report after November 1, 2014, would undoubtedly interfere with our ability to draft bills and provide other research-related services for legislators during the very busy period just prior to the convening of the Regular Session of 2015.

Finally, we note that reports to the Legislature are typically due not less than twenty days before the convening of the regular session. This measure requires the task force to report its findings and recommendations no later than thirty days before session, which would give the Bureau ten less working days to prepare the final report. Accordingly, we would request that the Committee consider changing the reference from "thirty" to "twenty" days.

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

Thank you for providing the Bureau with the opportunity to submit written comments.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
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Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the House Committee on
OCEAN, MARINE RESOURCES & HAWAIIAN AFFAIRS

Friday, January 31, 2014
8:30am
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2565
RELATING TO MEMORIALS

House Bill 2565 proposes to establish a Coastal Memorials Task Force within the Department of Land and Natural Resource (Department) to evaluate the practice of erecting memorials, and other matters. **The Department opposes this bill as it would be unable to allocate staffing, money and time to form a task force that is limited in scope to coastal memorials.**

The Department recognizes that the establishment of any land use within the Conservation District requires authorization. Coastal memorials are very sensitive issue. The Department will continue to address the issue case by case.

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

ESTHER KIAAINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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LAND
STATE PARKS

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HB2565

Submitted on: 1/30/2014

Testimony for OMH on Jan 31, 2014 08:30AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mike Molina | Mayor Alan Arakawa | Support | No |

Comments:

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HB2565

Submitted on: 1/29/2014

Testimony for OMH on Jan 31, 2014 08:30AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Carl M Jellings Sr | Individual | Support | No |

Comments:

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HB2565

Submitted on: 1/30/2014

Testimony for OMH on Jan 31, 2014 08:30AM in Conference Room 325

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-----------------------|---------------------|---------------------------|---------------------------|
| Javier Mendez-Alvarez | Individual | Support | No |

Comments:

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