

STAND. COM. REP. NO.

892

Honolulu, Hawaii

MAR 01 2019

RE: S.B. No. 1258

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Water and Land and Ways and Means, to which was referred S.B. No. 1258 entitled:

"A BILL FOR AN ACT RELATING TO STATE BOATING FACILITIES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow the Board of Land and Natural Resources (Board) to lease any existing state boating facility in its entirety, and fast lands and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation if the Board finds that the lessee has considered the risk of sea level rise on the area to be leased and the effect of sea level rise will be minimal during the term of the lease;
- (2) Clarify that legislative authorization is not required to award a lease, except that the Board may request authorization from the Legislature in extraordinary circumstances, by concurrent resolution, where the Board has not made findings regarding sea level rise factors; and



- (3) Repeal fast lands and submerged lands lease requirements specific to the Ala Wai Boat Harbor.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources. Your Committees received testimony in opposition to this measure from the Ocean Tourism Coalition and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that community input and involvement are critical to effective and sustainable development within the State. While sea level rise is a critical factor to consider in long-term planning, your Committees believe it is just as critical to foster effective relationships between developers and the community.

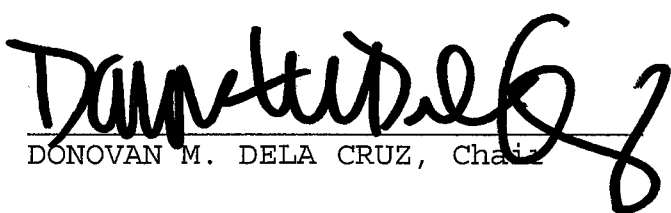
Accordingly, your Committees have amended this measure by:


- (1) Deleting language that would have required the Board of Land and Natural Resources to consider sea level rise factors prior to approving the lease of any existing state boating facility and making a conforming amendment;
- (2) Inserting language to require the Board of Land and Natural Resources, prior to approving the lease of any existing state boating facility, to find that the lessee has:
 - (A) Given public notice of any proposed development plans;
 - (B) Engaged with the community to be affected in regard to the development plans;
 - (C) Considered community concerns; and
 - (D) Developed a plan to address adverse impacts; and
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion.



As affirmed by the records of votes of the members of your Committees on Water and Land and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1258, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1258, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committees on Water and Land and Ways and Means,



DONOVAN M. DELA CRUZ, Chair


KAIALII KAHELE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 1258	Committee Referral: WTL / WAM	Date: 2/20/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani		X		
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			?
FEVELLA, Kurt				X
TOTAL	12	1		1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes