

Honolulu, Hawaii

FEB 15, 2022

RE: H.B. No. 2163
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2163 entitled:

"A BILL FOR AN ACT RELATING TO A STATE BOATING FACILITY LEASE PROGRAM,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish a state boating facility lease pilot program within the Department of Land and Natural Resources; and
- (2) Clarify that a private partner under lease with the Department may assist with the development, management, and maintenance of a state boating facility.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the COVID-19 pandemic revealed that the Department of Land and Natural Resources lacks the flexibility and capacity to adjust business operations in a timely manner



based on changing market conditions. This measure is a step in providing greater flexibility to the Department.

Your Committee has amended this measure by:

- (1) As an alternative option under the pilot program, authorizing the Board of Land and Natural Resources to enter into a qualified management agreement, to be implemented and managed by the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources, for private management and operation of one small boat harbor either partially or in its entirety, and fast lands and submerged lands within it;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2163, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2163, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



DAVID A. TARNAS, Chair



