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

## State of Hawaii

House of Representatives
The Thirty-first Legislature

H\$288-22

## Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 2163	Committee Referral: WAL, FIN	Date:	18/2022	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
2. BRANCO, Patrick Pihana (VC)	<b>✓</b>			
3. GANADEN, Sonny				
J. GANADEN, Sonny				
4. KOBAYASHI, Bertrand	and the Article Articl	<b>/</b>		
5. KONG, Sam Satoru	<b>✓</b>	\$ \$15 \$15 \$1 \$1 \$1 \$1 \$1 \$1 \$1 \$1 \$1		
6 MORIVAWA Doo				
6. MORIKAWA, Dee				
7. OHNO, Takashi				
8. McDERMOTT, Bob				
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TOTAL (8)	A	3		1
The recommendation is:  Adopted  If joint referral,  committee acronym(s)  Adopted  did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				