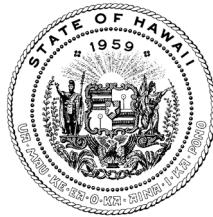


DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committee on
WATER AND LAND

Wednesday, February 17, 2021
1:00 P.M.
State Capitol, Conference Room 229

In consideration of
SENATE BILL 1180
RELATING TO STATE BOATING FACILITIES

Senate Bill 1180 proposes to (1) amend the civil service law to specify that any contractors hired by the Department of Land and Natural Resources (Department) for the management and maintenance of small boat harbors shall not be subject to the civil service law; (2) to allow the Board of Land and Natural Resources (Board) to lease any existing state boating facility in its entirety, as well as fast and submerged lands within any existing state boating facility, by public auction, request for proposals, or direct negotiation for private development, management, and operation; (3) to clarify that legislative approval is not required to award a lease; and (4) to repeal fast and submerged land lease requirements specific to the Ala Wai Small Boat Harbor. **The Department strongly supports this Administration measure.**

The COVID-19 pandemic has shed light onto the fact that the Department does not have the flexibility and capacity to adapt business operations in a timely manner based on changing market conditions. During the COVID-19 pandemic, the Department was put on a hiring freeze, limitations were placed on spending, budget reductions were implemented, and services to the general public were greatly reduced. Having the option of working with the private sector would have eliminated these issues because they would not have to operate under the same restrictions as the Department.

The Department currently has two facilities on Oahu that are under a public/private partnership, La Mariana Sailing Club and Keehi Marine Center. The Department is merely requesting to apply the same management model to the rest of the State small boat harbor facilities.

The Department notes two common misconceptions among some stakeholders: (1) this measure would lead to exorbitantly high mooring fee rates as determined by a private entity; and (2) this measure would allow the transfer of state lands under public trust to the private sector. The Department would like to clarify that: (1) the authority and method for determining fees remains unchanged: the Department will set fees pursuant to Section 200-10, Hawaii Revised Statutes, with the Board maintaining authority for approval of any proposed fee increases; and (2) this bill will not authorize any sale or transfer of state lands and only proposes to clarify the Department's authority to lease small boat harbors and submerged lands under its jurisdiction as well as authorize leasing of facilities in their entirety to attract private partners who plan to make improvements and improve the State small boat harbor facilities.

Thank you for the opportunity to comment on this measure.

SB-1180

Submitted on: 2/13/2021 11:42:54 AM

Testimony for WTL on 2/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeffry L. Hossellman	Individual	Support	No

Comments:

Retired attorney and 40 year harbor tenant here. The time has come for this measure. There will be some opposition as is normal when needed changes are proposed. But the best thing to do is to bring in professionals to operate small harbors.

We love our government and its agents but they are being asked to do an impossible job. Government is best at governing and doing big important things. People are best at managing the small things like operating a small boat harbor.

And finally, the people deserve a harbor they can be proud of.

Thank you for your attention to this matter.

Jeff Hossellman



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Thirty-First Legislature, State of Hawaii
The Senate
Committee on Water and Land

Testimony by
Hawaii Government Employees Association

February 17, 2021

S.B. 1180 – RELATING TO THE STATE BOATING PROGRAM

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes the purpose and intent of S.B. 1180 which allows the Department of Land and Natural Resources to lease any existing state boating facility without legislative approval and exempts management and maintenance positions from civil service.

As we outlined in our opposition testimony on H.B. 821, which similarly allows the Department to outsource document review in the State Historic Preservation Division, the Department must make a stronger effort to recruit and fill vacant positions. The situation at the Division of Boating and Ocean Recreation is no different, as your civil service workforce is already performing the duties and responsibilities that this measure seeks to contract out.

We understand that there have been significant delays in crafting position descriptions, recruiting viable applicants, and retaining existing employees, as well as an increase in assignments for current staff that only exacerbates the backlog of work. These systemic problems must be addressed and resolved, not bypassed and used as an excuse to outsource. Management must utilize every tool at their disposal and do a better job at breaking this recurring cycle: we cannot continue to undercut critical government functions then justify contracting out services that are historically and customarily performed by the civil service workforce.

Lastly, as with any public asset, it behooves the Legislature to maintain its authority to lease government property – existing state boating facilities are no different.

Thank you for the opportunity to testify in opposition to S.B. 1180.

Respectfully submitted,

Randy Perreira
Executive Director

SB-1180

Submitted on: 2/14/2021 1:02:46 PM

Testimony for WTL on 2/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ron Dellinger	Individual	Oppose	No

Comments:

I strongly oppose this.

LATE

SB-1180

Submitted on: 2/17/2021 9:13:53 AM

Testimony for WTL on 2/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Glenn	Individual	Oppose	No

Comments:

The workers at Oahu small boat harbors (DLNR) are doing a awesome job with what they have to work with. Even with the Covid-19 going on, the workers have been working hard to stay save and provide excellent public service to their boaters. NO NEED TO PRIVATIZE!!!

LATE

SB-1180

Submitted on: 2/17/2021 10:56:20 AM

Testimony for WTL on 2/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ivan Ige	Individual	Oppose	No

Comments:

Strongly oppose

LATE

SB-1180

Submitted on: 2/17/2021 11:39:29 AM

Testimony for WTL on 2/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen	Individual	Oppose	No

Comments:

I strongly oppose SB 1180. Yesterday, February 16, 2021 @ 3:10pm was the first anyone on the state small boat harbor level got win of SB 1180. I and along with my co-workers that work in smallll boat harbor will be affected by turning it into a private facility. In every department or division of the State of Hawaii has limited state employees. But we get things done with what we have avaiable to us even during the pandemic. Why was we not told about SB 1180? This bill I feel should have been told to everyone on the harbor level side so we could have got representation or send in a written testimony in a timely matter. This SB 1180 is wrong for all parties.

LATE

SB-1180

Submitted on: 2/17/2021 11:55:03 AM

Testimony for WTL on 2/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jakob	Individual	Oppose	No

Comments:

Strongly oppose because it seems that it's unfair for all involved at the harbors. The boaters and the employees.

LATE

SB-1180

Submitted on: 2/17/2021 12:00:22 PM

Testimony for WTL on 2/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Noe	Individual	Oppose	No

Comments:

STRONGLY oppose SB1180. Everyone at the Harbor level was only informed about this bill yesterday at around 2:30pm by a UNION representative. At no time was anyone informed (even until right now!) of this bill from any of the department heads. This bill is extremely unfair and unnecessary!! Everyone who works in the Harbor has been working straight thru during COVID, as they were deemed essential.

LATE

SB-1180

Submitted on: 2/17/2021 12:12:12 PM

Testimony for WTL on 2/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Celina Tanaka	Individual	Oppose	No

Comments:

As senators you took an oath to protect the individual as well as the aina of Hawai'i. This includes the State Harbors. Letting SB 1180 become law would be doing the opposite. It would let private companies make money off our natural resources, and take away jobs as well as control of our harbors from our people. The state of the harbors and how they are being run does not need privatization. For example the Heeia Kea Small boat harbor is run with pride and efficiency. I am always able to ask the staff questions and know that I will get an answer, if for any reason they don't have the answer at hand they get back to me in a timely manner. The staff at this particular harbor is amazing and should be an example for all the state harbors.

Why is it that everyone wants the easy out when it comes to responsibility. Stop running from your job and do the job you were elected to do.