STAND. COM. REP. NO. 634 -10

Honolulu, Hawaii **F: 526**, 2010 RE: H.B. No. 1808 H.D. 3

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1808, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO COASTAL AREAS,"

begs leave to report as follows:

The purpose of this bill is to ensure public access to beaches by:

- Requiring landowners in shoreline areas to ensure that public transit beach corridors are passable and free from human-induced, enhanced, or unmaintained vegetation that blocks transit;
- (2) Authorizing the Department of Land and Natural Resources (DLNR) to require maintenance of public transit corridors by the adjacent landowner and to charge landowners for the cost of removal if the landowner fails to remove an obstruction;
- (3) Establishing as an indicator of the highest wash of the waves, as it relates to the definition of "shoreline", the edge of natural vegetation growth, but never lower than the upper limit of debris left by the wash of the waves;
- (4) Establishing shoreline access as a policy of the Coastal Zone Management Program; and



(5) Imposing fines for noncompliance.

The Office of Hawaiian Affairs, Waialae-Kahala Neighborhood Board No. 3, Kuliouou/Kalani Iki Neighborhood Board #2, Kailua Neighborhood Board #31, Sierra Club-Hawaii Chapter, Conservation Council for Hawaii, Surfrider Foundation, and many concerned individuals testified in support of this bill. A concerned individual opposed this measure. DLNR, the Representative of the 19<sup>th</sup> District, and a concerned individual provided comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1808, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1808, H.D. 3.

> Respectfully submitted on behalf of the members of the Committee on Finance,

MARCUS R. OSHIRO,



State of Hawaii House of Representatives The Twenty-fifth Legislature

HJCR 634-10

**Record of Votes of the Committee on Finance** 

Bill/Resolution No.: Committee Referral: Date:   HB 1808, HD2 WLO, JUD, FIN Date:   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)									
					FIN Members	Ayes	Ayes (WR)	Nays	Excused
					1. OSHIRO, Marcus R. (C)				
2. LEE, Marilyn B. (VC)									
3. AQUINO, Henry J.C.									
4. AWANA, Karen Leinani	~		-						
5. BROWER, Tom									
6. CHOY, Isaac W.	<u> </u>								
7. COFFMAN, Denny			And the second s						
8. HAR, Sharon E.			· /I · · '544./'948.4/'A3I 'LEYE	49-12-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1					
9. KEITH-AGARAN, Gilbert S.C.									
10. LEE, Chris				M. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.					
11. NISHIMOTO, Scott Y.									
12. SAGUM, Roland D., III				ana an ann an taointeach aigean					
13. TOKIOKA, James Kunane									
14. WOOLEY, Jessica									
15. YAMASHITA, Kyle T.									
16. FINNEGAN, Lynn		te seminaria							
17. WARD, Gene	an Arganara An Arganara An Arganarati			Van de Maria					
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TOTAL (17)	16	Ø	0	1					
The recommendation is: Adopted	Not Adopte	∟ d							
If joint referral,	committee acronym(s	did not supp	ort recommendation	l					
Vice Chair's or designee's signature: Maif B. Lee									
Distribution: Original (White) – Committee Du	plicate (Yellow) –	 Chief Clerk's Office	e Duplicate (P	ink) – HMSO					