STAND. COM. REP. NO. 2567

Honolulu, Hawaii

MAR 02 2012

S.B. No. 2381 RE: S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2381 entitled:

"A BILL FOR AN ACT RELATING TO DEPARTMENT OF LAND AND NATURAL RESOURCES MARITIME FACILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to plan, construct, operate, and maintain any lands or facilities under the jurisdiction of the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources, including the acquisition and use of lands necessary to stockpile dredged spoils, without the approval of county agencies.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Testimony in opposition to this measure was submitted by a Council Member of the County Council of Maui and Hawaii's Thousand Friends.

Your Committee finds that Act 161, Session Laws of Hawaii 1980, granted the Department of Transportation the authority to plan, construct, operate, and maintain harbors throughout the State without the approval of county agencies. Act 272, Session Laws of Hawaii 1991, transferred the jurisdiction, functions, powers, duties, and authority of the ocean recreational boating and coastal activities programs from the Department of Transportation to the Department of Land and Natural Resources, but did not explicitly grant an exemption from county approvals.

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By allowing the Board of Land and Natural Resources to proceed with certain projects under its jurisdiction without the approval of county agencies, this measure will expedite implementation of much needed improvement projects at the State's boating facilities, for the benefit of residents and visitors alike.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to ensure further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2381, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2381, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

CLAYTON HEE, Chair

## The Senate Twenty-Sixth Legislature State of Hawaiʻi

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral: Date: /				
SB2381 BOT/WLH/PGMJJDL 2/23/12					
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)		\			
GABBARD, Mike		/			
IHARA, Jr., Les		)			
SLOM, Sam					
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TOTAL			<u> </u>	•	1
TOTAL		4			
Recommendation:  Adopted  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					

<sup>\*</sup>Only one measure per Record of Votes