

Honolulu, Hawaii

May 1, 2015

RE: H.B. No. 444  
H.D. 3  
S.D. 2  
C.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 444, H.D. 3, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO BEACH PROTECTION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to support visitor industry-related programs and projects, such as beach restoration and conservation.

More specifically, this measure:

- (1) Allocates transient accommodations tax revenues to the special land and development fund to finance beach restoration and conservation and other activities authorized under section 237D-6.5(b)(5), Hawaii Revised Statutes;



- (2) Enables the effective development and implementation of plans to slow the degradation of Hawaii beaches by including language that provides for the conservation of beaches in pertinent beach restoration statutes; and
- (3) Requires the Department of Land and Natural Resources to coordinate, where appropriate, with the counties and private-public partnerships to restore and conserve beaches.

Your Committee on Conference finds that Hawaii's beaches are an important component of Hawaii's landscape that make the State a unique place for residents and visitors. However, University of Hawaii researchers have recently determined that Hawaii's beaches are disappearing at an alarming rate. Your Committee on Conference believes that the State needs to reinvest in its beaches to conserve one of its most valuable natural resources.

Your Committee on Conference notes that the Legislature has provided funding for the protection, preservation, and enhancement of natural resources in fiscal year 2014-2015. However, for technical reasons, the \$3,000,000 in general funds set aside from the transient accommodations tax revenues under section 237D-6.5(b)(5), Hawaii Revised Statutes, for fiscal year 2014-2015 could not be expended. Your Committee on Conference believes that these moneys should be expended to implement the Legislature's policy decision to support visitor industry-related projects, such as beach conservation and restoration.

Your Committee on Conference has amended this measure by:

- (1) Making the amendments to section 237D-6.5(b), Hawaii Revised Statutes, and other pertinent beach restoration statutes to expand the uses for which transient accommodations tax revenues allocated to the special land and development fund may be used to include beach conservation (Part I), effective July 1, 2016;
- (2) Deleting amendments that would have added language regarding conservation to pertinent beach restoration statutes;
- (3) Deleting the requirement that the Department of Land and Natural Resources coordinate, where appropriate, with counties and private-public partnerships to restore and conserve beaches;



- (4) Appropriating moneys from the general fund to be expended for fiscal years 2014-2015 and 2015-2016 in accordance with section 237D-6.5(b)(5), Hawaii Revised Statutes, for visitor-industry related programs and projects, such as the protection, preservation, maintenance, and enhancement of natural resources, including beaches; and
- (5) Changing the effective date from July 1, 2050, to upon approval, except for the allocation of transient accommodations tax revenues to the special land and development fund, which shall take effect on July 1, 2016.

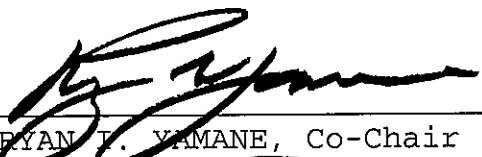
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 444, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 444, H.D. 3, S.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

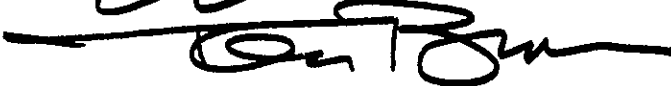
ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE


  
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 GILBERT KAHELE, Chair

  
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 RYAN T. YAMANE, Co-Chair

  
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 LAURA H. THIELEN, Co-Chair

  
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 TOM BROWER, Co-Chair

  
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 RONALD D. KOUCHI, Co-Chair

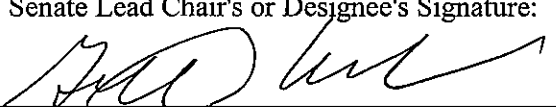
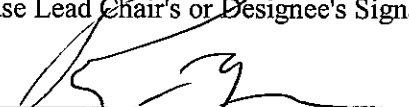
  
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 TY J.K. CULLEN, Co-Chair



Hawaii State Legislature

Record of Votes of a  
Conference Committee

**CCR 151**

Bill / Concurrent Resolution No.: <b>HB 444, HD 3, SD 2</b>					Date/Time: <b>5/1/16 5:20 pm</b>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
KAHELE, Gilbert, Chr.		/				YAMANE, Ryan I., Co-Chr.		/			
THIELEN, Laura H., Co-Chr.		/				BROWER, Tom, Co-Chr.		/			
KOUCHI, Ronald D., Co-Chr.		/				CULLEN, Ty J.K., Co-Chr.		/			
GALUTERIA, Brickwood		/				EVANS, Cindy		/			
SLOM, Sam		/				LEE, Chris					/
						WARD, Gene					/
TOTAL		5				TOTAL		4			2
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature: 						House Lead Chair's or Designee's Signature: 					
Distribution:		Original File with Conference Committee Report			Yellow House Clerk's Office		Pink Senate Clerk's Office		Goldenrod Drafting Agency		