

STAND. COM. REP. NO.

427

Honolulu, Hawaii

FEB 18 , 2021

RE: H.B. No. 1148

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1148 entitled:

"A BILL FOR AN ACT RELATING TO LAND AND NATURAL RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to authorize the Board of Land and Natural Resources to adopt, amend, and repeal administrative fees, without regard to chapter 91, Hawaii Revised Statutes, for the various divisions within the Department of Land and Natural Resources by formal board action at a publicly noticed meeting.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual. Your Committee received comments on this measure from the Ocean Tourism Coalition, HFACT, and one individual.

Your Committee finds that the current process for implementing fee schedules through chapter 91, Hawaii Revised Statutes, does not allow for changes to fee structures in response to rapidly-shifting economic conditions or changing environmental, social, and community circumstances that are addressed and managed by the Department of Land and Natural Resources. This measure will provide the Department with the flexibility it needs while still providing transparency and public engagement as required for

2021-1649 HB1148 HD1 HSCR HMSO



Board of Land and Natural Resources' meetings under the State's open meeting law requirements.

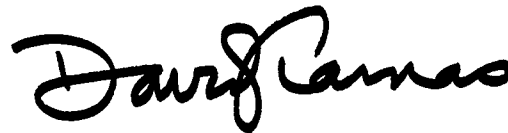
Your Committee has amended this measure by:

- (1) Clarifying that all Department of Land and Natural Resources fees established by rule at or prior to the date of enactment of this measure may be deleted by rule and adopted as an approved administrative fee schedule without the need to comply with the requirements of chapter 91, Hawaii Revised Statutes;
- (2) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

Your Committee urges the Department of Land and Natural Resources to consult with the Small Business Regulatory Review Board before increasing any administrative fees under the system proposed in this measure.

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. 1148, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1148, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



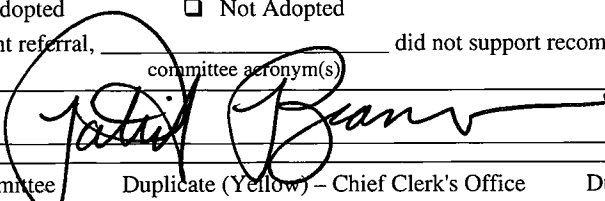
DAVID A. TARNAS, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HSCR 427

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB1148	Committee Referral: WAL, FIN	Date: 2/11/2021		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> 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)	6			
2. BRANCO, Patrick Pihana (VC)	7			
3. GANADEN, Sonny	7			
4. KOBAYASHI, Bertrand	7			
5. KONG, Sam Satoru	7			
6. MORIKAWA, Dee	7			
7. OHNO, Takashi				7
8. McDERMOTT, Bob	7			7
TOTAL (8)	7			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				