

STAND. COM. REP. NO. 1222

Honolulu, Hawaii

MAR 21 2023

RE: H.B. No. 1183
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.B. No. 1183, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO STATE PARKS,"

begs leave to report as follows:

The purpose and intent of this measure is to exempt parking lot operations designated as concessions and certain concessions determined to be environmentally, culturally, historically, or operationally unique at state parks from the competitive bidding requirement for concession contracts on public lands pursuant to section 102-2, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in 2020, a pilot integrated parking and shuttle reservation system was implemented for Haena State Park, Kauai, as part of a strategic master plan that aimed to reduce overcrowding and other associated negative park experiences related to high traffic and insufficient parking. To that end, the Division of State Parks partnered with Hui Makaaainana O Makana, a nonprofit organization dedicated to perpetuating and teaching skills, knowledge, and Native Hawaiian practices through



the interpretation, restoration, care, and protection of natural and cultural resources in Haena, the Hui's ancestral home. Thus, in addition to managing the parking and reservation system, the Hui also conducted conservation activities and resource enhancement in the park.

However, your Committee finds that because parking lot operations at state parks are designated as concessions under section 102-2, Hawaii Revised Statutes, despite the program's success, the Division of State Parks remains unable to negotiate a long-term lease or management agreement with Hui Makaainana O Makana without going through a burdensome and cost-focused competitive bidding process -- a process which may not properly consider the cultural suitability of a group such as the Hui. Currently, the Hui operates on a month-to-month revocable permit. Your Committee further notes that the Department intends to expand, if feasible, its successful integrated parking and shuttle reservation system to other state parks, such as Kealahou Bay, Kiholo Bay, and Kaena Point. Therefore, this measure provides a necessary exemption to the concession law's competitive bidding requirement to allow the State and culturally sensitive nonprofit organizations to mutually benefit from current and future integrated parking and shuttle reservation plans.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1183, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1183, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

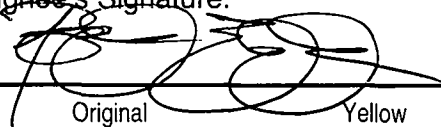
Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUE Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HB 1183, HD1	Committee Referral: WTL, WAM	Date: 3/13/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)		✓		
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.		✓		
FEVELLA, Kurt				✓
TOTAL	2	2	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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				

*Only one measure per Record of Votes