

Honolulu, Hawaii

FEB 13 2025

RE: S.B. No. 411

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committees on Government Operations and Water and Land,
to which was referred S.B. No. 411 entitled:

"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS
AT STATE SMALL BOAT HARBORS AND STATE PARKS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow the Department of Land and Natural Resources to engage in capital improvement project work at state small boat harbors and state parks without prior approval from the Legislature and Governor for existing facilities; and
- (2) Require annual reports to the Legislature.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; Ocean Tourism Coalition; Calypso Charters; Activities & Attractions Association of Hawaii, Inc.; and five individuals.

Your Committees received testimony in opposition to this measure from the Department of Budget and Finance.



Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that the existing process for appropriating funds for the maintenance and repair of state small boat harbors and state parks is too time consuming, often leading to wear becoming extremely damaging before repairs can be made. The delay in the necessary repairs increases the costs of the repairs and leaves the public with limited access to vital hubs of recreation and tourism. This measure addresses this issue by allowing the Department of Land and Natural Resources to engage in capital improvement project work on these sites for existing facilities without prior approval from the Legislature and Governor.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committees note the concerns expressed by the Department of Budget and Finance and the Department of the Attorney General that this measure may be subject to challenge under the Hawaii State Constitution, as it provides for the expenditure of public moneys without an appropriation made by law. Your Committees find that this issue raises concerns that merit further consideration and respectfully request that subsequent Committees to which this measure is referred examine the matter.

As affirmed by the records of votes of the members of your Committees on Government Operations and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 411, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 411, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Government
Operations and Water and Land,



LORRAINE R. INOUÉ, Chair


ANGUS L.K. MCKELVEY, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* <div style="font-size: 1.5em; font-family: cursive;">SB411</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">GVO/WTL, WAM</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">2-11-25</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
MCKELVEY, Angus L.K. (C)	✓			
GABBARD, Mike (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt				✓
TOTAL	4	—	—	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes

Record of Votes
Committee on Water and Land
WTL

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