

Charlotte A. Carter-Yamauchi
Acting Director

Research (808) 587-0666
Revisor (808) 587-0670
Fax (808) 587-0681



LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Testimony

HB703 **RELATING TO MEMORIALS**

Testimony by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the House Committees on Water & Land and
Ocean, Marine Resources, & Hawaiian Affairs

Friday, February 1, 2013, 8:00 a.m.
Conference Room 325

Chair Evans, Chair Hanohano, and Members of the Committees:

Thank you for the opportunity to comment on H.B. No. 703, Relating to Memorials.

This bill establishes the coastal memorials task force within the department of land and natural resources (DLNR) for administrative purposes, to review and evaluate the practice of, and develop standards for, erecting coastal memorials. The task force is required to report its findings and recommendations to the legislature, including any proposed legislation, no later than twenty days prior to the convening of the regular session of 2014. The bill also requires the legislative reference bureau (LRB) to assist the coastal memorials task force "in preparing its findings, recommendations, and proposed legislation; provided that the chairperson of the task force shall submit the necessary information therefor to the legislative reference bureau for drafting no later than November 1, 2013."

We note that, historically, temporary entities that are administratively attached to executive branch agencies have their administrative and support needs (e.g., staffing, report writing, etc.) handled by the executive agency to which they are attached. Accordingly, any note taking and report writing responsibilities would more appropriately be handled by DLNR.

In the alternative, we would request that the Committees consider amending the bill to clarify LRB's role by requiring the transmittal of a "proposed draft" of the Task Force's report, including its findings and recommendations to LRB, rather than submittal of "necessary information...for drafting" as presently stated in the bill. In addition, we request that the Committees consider clarifying LRB's responsibilities if the Task Force *fails* to transmit the

draft report to LRB by November 1, 2013. LRB's timely receipt of the draft report would allow sufficient time for review by the Task Force of the report and necessary edits and still enable timely completion of the report. However, LRB's receipt of the draft report after November 1, 2013, would undoubtedly interfere with our ability to draft bills and provide other research-related services for legislators during the very busy period just prior to the convening of the Regular Session of 2014.

The LRB would be happy to assist the Committees in drafting the committee report and any amendments the Committees may decide to make to the bill.

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 31, 2013 3:38 PM
To: waltestimony
Cc: david.w.fink@hawaii.gov
Subject: Submitted testimony for HB703 on Feb 1, 2013 08:00AM
Attachments: HB0703_LNR_02-01-13_WAL-OMH.pdf

HB703

Submitted on: 1/31/2013

Testimony for WAL/OMH on Feb 1, 2013 08:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William J. Aila, Jr.	Department of Land and Natural Resources	Oppose	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIAAINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committees on
WATER & LAND
and
OCEAN, MARINE RESOURCES & HAWAIIAN AFFAIRS**

**Friday, February 1, 2013
8:00am
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 703
RELATING TO MEMORIALS**

House Bill 703 proposes to establish a Coastal Memorials Task Force within the Department of Land and Natural Resources (Department), and to have the Task Force evaluate the practice of erecting coastal memorials, to develop standards of erecting memorials, and other matters. The Department requests that this measure be held in committee.

The Department continues to face severe budget cutbacks. The Department's general fund appropriations and special fund revenues have dropped significantly over the last several years. The bill imposes duties that would require a substantial amount of staff time and funding. The Department simply does not have the resources and staffing necessary to undertake the additional duties that would be required under this bill.

The Department recognizes that the establishment of any land use within the Conservation District requires authorization, and that most coastal memorials that are located seaward of the shoreline in the Conservation District have not received proper authorization.

The Department respectfully asks that this matter be tabled to give the Department more time to consider how to manage the situation within its current regulatory and management framework, prior to compelling us to form a new task force that will further inhibit our ability to manage the core functions of the Department.