

STAND. COM. REP. NO.

1648

Honolulu, Hawaii

APR 22 2015

RE: H.C.R. No. 141
H.D. 1
S.D. 1

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

Madam:

Your Committee on Water and Land, to which was referred
H.C.R. No. 141, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF
LAND AND NATURAL RESOURCES AND THE COUNTIES TO PROVIDE BEACH
ACCESS FOR PERSONS WITH DISABILITIES IN HAWAII,"

begs leave to report as follows:

The purpose and intent of this measure is to request the
Department of Land and Natural Resources and the counties that
maintain beach transit corridors to provide beach access to the
shoreline for persons with disabilities at beaches that have a
public restroom facility or are in an ocean management area.

Your Committee received testimony in support of this measure
from the Department of Defense, Office of Veterans Services; State
Council on Developmental Disabilities; Hawaii Tourism Authority;
Hawaii Civil Rights Commission; Hawaii Disability Rights Center;
and the Disability and Communication Access Board; University of
Hawaii Biology Alumni Association; and two individuals. Your
Committee received comments on this measure from the Department of
Land and Natural Resources.

Your Committee finds that access to Hawaii's beaches is meant
to be open for all residents and visitors and access to beaches
will need to be improved so as to not discriminate against persons
with a disability. This measure directs the Department of Land



and Natural Resources and the responsible counties to provide access no later than July 1, 2016.

Your Committee has amended this measure by:

- (1) Amending the title and language throughout to clarify that the requested action is the improvement of public beach access;
- (2) Deleting references to Title 28 Code of Federal Regulations Parts 35 and 36;
- (3) Deleting language requesting the Department of Land and Natural Resources and the responsible counties to provide access no later than July 1, 2016;
- (4) Adding that the Department of Land and Natural Resources and the counties report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017 on the status of public beach access to the shoreline for persons with disabilities at public beaches that have a public restroom facility or are in an ocean recreation management area; and
- (5) 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 concurs with the intent and purpose of H.C.R. No. 141, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as H.C.R. No. 141, H.D. 1, S.D. 1.

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



LAURA H. THIELEN, Chair



