

DAVID Y. IGE  
GOVERNOR



RODERICK K. BECKER  
Comptroller

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Deputy Comptroller

**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN COMMENTS OF  
RODERICK K. BECKER, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
SENATE COMMITTEE ON WAYS AND MEANS  
ON  
FRIDAY, FEBRUARY 24, 2017  
1:35 P.M.  
CONFERENCE ROOM 211

S.B. 717, S.D. 1

RELATING TO PUBLIC REAL PROPERTY.

Chair Tokuda, Vice Chair Dela Cruz, and members of the Committee, thank you for the opportunity to submit written comments on Senate Bill 717, S.D. 1.

The Department of Accounting and General Services (DAGS) supports the intent of the measure and offers the following comments for your consideration.

The measure establishes 1) a temporary program to cleanup state property after the departure of illegal campers, that will be housed in a department to be designated by the Governor; 2) a temporary sheriff's patrol program to enforce no trespassing, camping, and other violations on state property, undertaking appropriate steps necessary in accordance with the law; and 3) appropriates funds to the departments of public safety, transportation, and land and natural resources, and the Hawaii Community Development Authority.

DAGS notes that the proposed cleanup and enforcement efforts on state land will not be the endeavor of a singular department, but must be conducted in conjunction with homeless outreach to provide appropriate social services and alternative housing; property transportation and storage services; and appropriate law enforcement services to ensure public safety and security. In addition to these services, the cleanup and storage of personal property will need to allow property owners to reclaim their stored property from centralized storage sites. DAGS further notes that the program may not necessarily save money. Similar operations may need to be duplicated on the neighbor islands and there would need to be a high degree of coordination between affected departments.

DAGS is unable to further comment on the implementation of such a program at this time as these functions are unfamiliar to and beyond DAGS' scope of general services.

Thank you for the opportunity to submit written testimony on this matter.



**EXECUTIVE CHAMBERS**  
HONOLULU

**DAVID Y. IGE**  
GOVERNOR

February 24, 2017

**TO:** The Honorable Senator Jill N. Tokuda, Chair  
Senate Committee on Ways and Means

**FROM:** Scott Morishige, MSW, Governor's Coordinator on Homelessness

**SUBJECT: SB 717 SD1 – RELATING TO REAL PROPERTY**

Hearing: Friday, February 24, 2017, 1:35 p.m.  
Conference Room 211, State Capitol

**POSITION:** The Governor's Coordinator on Homelessness appreciates the intent of this measure, as it addresses key aspects of the state's strategy to address homelessness and particularly issues related to unauthorized encampments on public land. The Coordinator notes that cleanup and enforcement efforts to address encampments must be coordinated with homeless outreach efforts that connect homeless persons to necessary services and housing. The Coordinator asks for the Legislature's support of the Governor's Executive Budget request, which includes \$1.5 million for homeless outreach, and \$2 million for a stored property program that addresses property abandoned on or seized from state lands. The Coordinator defers to other executive departments in regard to current statutory processes and issues related to implementation.

**PURPOSE:** The purpose of the bill is to establish a temporary program to clean up state real property after the departure of persons who have illegally camped or lodged on state real property. The bill requires the Governor to designate the state executive department responsible for the program, and establishes a temporary sheriff patrol program to enforce laws against illegally camping, trespassing, or being present on state real property. In addition, the bill makes appropriations to support the proposed activities.

The Coordinator notes that the Legislature already provided in section 171-31.5, Hawaii Revised Statutes (HRS), a process for the disposition of abandoned property on state land for all individuals, including individuals who are homeless. Section 171-31.5, HRS, requires a 30 day notice that property has been abandoned or seized, and provides a means for owners or abandoned or seized property to retrieve such property, which could include government issued identification or other government records.

However, while section 171-31.5, HRS, describes a process to address abandoned or seized property, there is currently no consolidated staffing or resources to address this issue across multiple state departments and agencies. This is in contrast to the City and County of Honolulu, which has a designated team to address issues related to stored property across multiple city departments. The Stored Property Program included in the Governor's Executive Budget request would be modeled after the City and County of Honolulu program, and would consolidate efforts across state departments and agencies statewide.

In addition to directly addressing issues related to property, homeless outreach is critical to ensure that homeless persons have access to shelter, and are not simply displaced from one unsafe living area to another. The state's strategy to address homelessness includes a strong connection between homeless outreach and efforts to address unauthorized encampments on public land. For example, in Kaka'ako Makai, the role of homeless outreach played a key role in assisting over 290 of an estimated 300 homeless individuals to access shelter and permanent housing between August 2015 and present.

Thank you for the opportunity to testify on this bill.

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
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

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

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**Testimony of  
SUZANNE D. CASE  
Chairperson  
Before the Senate Committee on  
WAYS AND MEANS**

**Friday, February 24, 2017  
1:35 PM  
Conference Room 211**

**In consideration of  
SENATE BILL 717, SENATE DRAFT 1  
RELATING TO PUBLIC REAL PROPERTY**

Senate Bill 717, Senate Draft 1 proposes to establish 1) a temporary program to clean up state property after the departure of illegal campers, to be housed in a department designated by the Governor, and 2) a temporary sheriff's patrol program to enforce no trespassing, camping and other violations on state property, and 3) appropriates funds to three departments. **The Department of Land and Natural Resources (Department)** appreciates the intent of the bill and offers the following comments.

The Department currently uses Section 171-31.5, Hawaii Revised Statutes (HRS), to guide its treatment of abandoned property. However, the current legal inability to easily distinguish trash from abandoned property makes it difficult to remove trash in areas abandoned by illegal campers. Section 171-31.5, HRS, requires that property be abandoned for 24 hours and then the owner must be given 30 days to reclaim the property. As currently written it appears that the definition of "personal property," as well as the maximum time period for storage will be developed by rule, which may not be applicable across various state jurisdictions.

The Department suggests that the timeframe for this temporary program be extended to three years. Given that the bill allows six (6) months for planning, the allotted six (6) months for implementation may not be enough time to hire necessary personnel, provide training and have enough time to adequately evaluate the program. The Department also suggests that, given the funding, timeframe, and staffing allotments, the temporary program be limited to one island.

The Department appreciates the appropriation of funds as long as it does not replace other priorities requested in the Executive Budget.

Thank you for the opportunity to comment on this measure.





HAWAII COMMUNITY  
DEVELOPMENT AUTHORITY



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**LATE**

STATEMENT OF

JESSE K. SOUKI, EXECUTIVE DIRECTOR  
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

BEFORE THE

SENATE COMMITTEE ON WAYS AND MEANS

ON

Friday, February 24, 2017

1:35 P.M.

State Capitol, Conference Room 325

in consideration of

**SB717 SD1 – RELATING TO PUBLIC REAL PROPERTY**

Chair Tokuda and Vice Chair Dela Cruz and members of the committee.

This testimony reflects my view alone. The Hawaii Community Development Authority (HCDA) has not acted on this specific measure.

In my capacity as the HCDA Executive Director, I respectfully offer **comments** on SB717, SD1.

While the HCDA board has not had the opportunity to opine on this specific bill, it has approved a position that any effort to address illegal activities in its parks must be done in coordination with other agencies.

We defer to the Governor's Coordinator on Homelessness on other aspects of this bill. However, specifically regarding management of HCDA's public parks, we provide comments on Section 20. Section 20 would appropriate "out of the general revenues of the State of Hawaii the sum of \$37,500 or so much thereof as may be necessary for fiscal year 2017-2018 for the removal of debris and litter left on the real property of the HCDA after the departure of persons known or suspected to have illegally or without permission camped or lodged on the real property." The support is greatly appreciated; however, the sum is not adequate.

Based on HCDA's past experience, under the advice and counsel of the Attorney General, the cost of enforcing HCDA's park rules and cleanup is as follows:

- Standard 4-hour shift (4-man cleanup crew, 2-man documentation crew), approximately \$2,178.03;
- Estimated waste removal fees for standard shift (empty dumpster/hazardous item disposal), approximately \$678.00; and
- Monthly Stored property management fee, approximately \$1,884.90.

In order to keep the park clean and safe for all users, and to avoid an unmanageable situation, we recommend twice a month enforcement and cleanup. Based on the above numbers and assuming the current rates do not change, the **annual cost of enforcements would be approximately \$91,163.52.**

This is a conservative but reasonable estimate. From December 2015 to today, HCDA has spent approximately \$362,000.00 on enforcement and cleanup efforts. This accounts for 79 night-time enforcement and cleanups, and includes the contracts discussed above and startup costs such as improved signage, stored property bins, and related equipment.

Thank you for the opportunity to provide comments on this bill.



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 23, 2017 6:26 AM  
**To:** WAM Testimony  
**Cc:** kimoc@ihs-hawaii.org  
**Subject:** \*Submitted testimony for SB717 on Feb 24, 2017 13:35PM\*

**SB717**

Submitted on: 2/23/2017

Testimony for WAM on Feb 24, 2017 13:35PM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimo K. Carvalho	IHS, The Institute for Human Services	Support	No

Comments:

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