

PIA Committee

From: Eugene "Gino" Soquena <Gino@local368.org>
Sent: Monday, September 05, 2016 11:56 PM
To: PIA Committee
Subject: Testimony of Gino Soquena
Attachments: 20160905_00002.pdf; ATT00001.htm

Please find the attached testimony for Tuesday's Committee Meeting.

Honorable Michael P. Victorino, Chair
Honorable Don Couch, Vice-Chair,
and Members of the Policy and Intergovernmental Affairs Committee
Council of the County of Maui
200 South High Street, 8th Floor
Wailuku, Maui, Hawaii

Testimony Regarding Legislative Proposal Relating to 2017 Hawaii State Association of Counties (“HSAC”) Legislative Package - Approving for Inclusion in the HSAC Package a State Bill to Allow Counties to Petition the State Land Use Commission (“LUC”) for Regional District Boundary Amendments After Adoption of General Plan Updates and to Grant to the LUC Additional Enforcement Authority Over Its Decisions and Orders (Item PIA-3(2)(10) on the Committee’s Agenda).

Tuesday, September 6, 2016, at 9:00 a.m. in the Council Chamber, Kalana Pakui Building, 8th Floor, 250 South High Street, Wailuku, Hawaii 9679

My name is Gino Soquena, Government Relations Director for the Hawaii Laborers Union Local 368, which represents almost 5,000n members state wide. While the Hawaii Laborers Union Local 368 supports the portion of the Proposed LUC Bill which proposes to allow the counties to petition the LUC for regional district boundary amendments after adoption of general plan updates, **we STRONGLY OPPOSE the portion (Section 3) of the Bill which proposes to grant the LUC additional enforcement authority over its decision and orders.**

Given the distinct role of the LUC as established by State statutory law, we believe that a number of serious, negative consequences and repercussions would result from an expansion of the LUC’s authority as set forth in the Proposed LUC Bill.

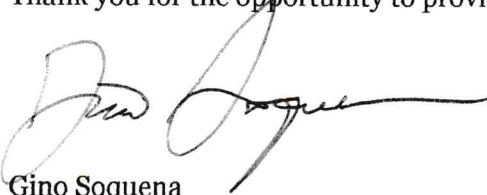
In our opinion, there is no evidence of any compelling need for the Proposed LUC Bill which unjustifiably transforms the LUC from a planning agency into an enforcement agency. Based on discussions with the County Planning Directors, the LUC, and the Office of Planning, we understand that the LUC has not heretofore transmitted any enforcement complaints to the counties, and the counties are unaware of any current LUC violations or complaints that would justify this measure.

Moreover, proponents of the Proposed LUC Bill failed to seek any input whatsoever from the parties which would be most affected by this legislation – the counties and the landowners which have obtained LUC approvals - despite the major unanticipated negative consequences of this measure. In addition, all four county planning departments, landowners and housing developers, as well as the building industry are strongly opposed to the proposed Bill.

Based on the above, the Hawaii Laborers Union Local 368 respectfully urges this Committee to carefully consider all of the facts and circumstances relating to the

Proposed LUC Bill and to **exclude this measure from the 2017 HSAC Legislative Package**, or at the very least, defer support of this Bill until all potential consequences and repercussions relating to this very significant issue have been thoroughly vetted and reviewed.

Thank you for the opportunity to provide comments regarding this matter.

A handwritten signature in black ink, appearing to read 'Gino Soquena', with a long horizontal flourish extending to the right.

Gino Soquena
Government Relations Director
Hawaii Laborers Union Local 368