

Honolulu, Hawaii
March 3, 2006

RE: H.B. No. 3056
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 3056, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH,"

begs leave to report as follows:

The purpose of this bill is to restore and rehabilitate the resources of Kawai Nui Marsh (Marsh) in Kailua, Oahu, by resolving disputes over the management of the Marsh. This bill:

- (1) Clarifies the specific parcels to be transferred from the City and County of Honolulu (City) to the State;
- (2) Requires that the transfers be completed by September 1, 2006; and
- (3) Appropriates funds for the City to maintain and operate portions of the Marsh.

The Hawaii Audubon Society, Hawaii's Thousand Friends, and Windward Ahupuaa Alliance testified in support of this bill. The Department of Land and Natural Resources (DLNR) supported this measure with amendments. The City supported the intent of this bill and offered amendments.

Upon further consideration, your Committee has amended this bill by:

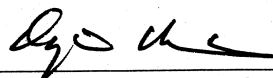
HB3056 HD2 HSCR FIN HMS 2006-2542



- (1) More precisely referring to the main parcel to be transferred as "lot 3, as shown on land division parcel map file no. 18-3-3-13";
- (2) Deleting the requirement that another parcel, described as TMK 4-2-13:22, be transferred to the State. This parcel is subsumed under lot 3;
- (3) Including parcels involved in the Oneawa Canal widening project as additional part of the transfer;
- (4) Deleting the provision that the State is under no requirement to maintain any flood control program relating to the Marsh;
- (5) Specifying that prior to the transfer of the parcels, the State shall be granted temporary easement over those parcels;
- (6) Redirecting the appropriation for maintaining the Marsh to DLNR instead of the City; and
- (7) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3056, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 3056, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



DWIGHT TAKAMINE, Chair



Record of Votes of the Committee on Finance

Bill/Resolution No.: HB 3056 HD1	Date: 3.1.06			
Committee Referral: WLO, FIN	<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.			
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAMINE, Dwight Y. (C)	✓			
2. KAWAKAMI, Bertha C. (VC)	✓			
3. CARROLL, Mele	✓			
4. CHONG, Pono	✓			
5. EVANS, Cindy	✓			
6. LEE, Marilyn B.	✓			
7. MAGAOAY, Michael Y.	✓			
8. NAKASONE, Bob	✓			
9. NISHIMOTO, Scott Y.	✓			
10. TANAKA, Kameo	✓			
11. TSUJI, Clift	✓			
12. WAKAI, Glenn	✓			
13. YAMANE, Ryan I.	✓			
14. YAMASHITA, Kyle T.	✓			
15. MEYER, Colleen Rose				✓
16. MOSES, Mark S.	✓			
17. PINE, Kymberly				✓
18. STEVENS, Anne V.	✓			
TOTAL	16			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <div style="text-align: center; font-family: cursive; font-size: 24pt; margin-top: 10px;"> Bertha Kawakami </div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				