

Honolulu, Hawaii

APR - 7 2006

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

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 3056, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect the economic, ecological, and cultural resources of Kawai Nui Marsh by transferring ownership of certain portions of the marsh from the City and County of Honolulu to the State of Hawaii.

Your Committee understands that both the City and County of Honolulu and the State of Hawaii own parcels of land that are part of the wetland ecosystem of Kawai Nui Marsh. This has caused the City and County of Honolulu and the State to dispute their respective management responsibilities of the marsh. This dispute has delayed restoration and rehabilitation of the marsh to the point where its continued ability to support native wildlife populations is in crisis.

Your Committee has amended this measure by:

- (1) Deleting language from Act 314, Session Laws of Hawaii 1990 pertaining to the transfer of Kawai Nui Marsh, tax map key no. 4-2-16:1, lot 2-b, to avoid confusion about what is being conveyed to the State;



- (2) Deleting provisions that would have granted the State an easement in perpetuity for parcels over which the State and the City and County of Honolulu have transfer disputes;
- (3) Deleting the provision that would have granted the State a temporary easement over parcels that have not been transferred by September 1, 2006;
- (4) Changing the appropriation to an unspecified amount to facilitate further discussion; and
- (5) Making technical nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3056, H.D. 2, S.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, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


BRIAN T. TANIGUCHI, Chair



**The Senate
Twenty-Third Legislature
State of Hawaii**

**Record of Votes of the
Committee on Ways and Means
(Bills and Resolutions)**

Measure:* HB 3056 HD2 SD1	Committee Referral: WLA/ IGA, WAM	Date: 4/3/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
TANIGUCHI, Brian T. (C)	/			
TSUTSUI, Shan S. (VC)	/			
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
INOUE, Lorraine R.	/			
KANNO, Brian	/			
KIM, Donna Mercado	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SAKAMOTO, Norman	/			
HEMMINGS, Fred	/			
SLOM, Sam	/			
TRIMBLE, Gordon				/
TOTAL	14	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.