

Honolulu, Hawaii

MAR 20 2008

RE: H.B. No. 2872
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred H.B. No. 2872 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LANDS,"

begs leave to report as follows:

The purpose of this measure is to require the Department of Land and Natural Resources to extend the recreation-residence use leases at the Koke'e and Waimea Canyon State parks for five years.

Testimony in support of this measure was submitted by a Councilmember of the Kauai County Council, and twenty individuals. Testimony in opposition to this measure was submitted by the Department of Land and Natural Resources and the State Attorney General.

Your Committee notes its concern over testimony that there is a high concentration of lead in the public water supply at Koke'e State park. Your Committee strongly encourages the Department of Land and Natural Resources to investigate these claims and to take necessary and appropriate action to ensure the health, safety, and welfare of the public utilizing the park.

Your Committee has amended this measure by:

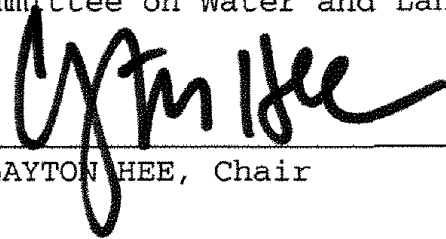
- (1) Allowing the Department of Land and Natural Resources to hold a public auction of the leases within a State park or forest reserve, subject to the most recent occupant of the land's right to match the winning bid at auction;



- (2) Allowing the Department of Land and Natural Resources to limit bidders at a public auction to bona fide full-time residents of the State;
- (3) Requiring that the Department of Land and Natural Resources enforce the provisions of recreational-residential leases;
- (4) Requiring that the Department of Land and Natural Resources establish a schedule of penalties and fines for any breach of a recreational-residential lease, unless penalties and fines are specified in the lease.

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 is in accord with the intent and purpose of H.B. No. 2872, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2872, S.D. 1, and be referred to the Committee on Ways and Means.

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

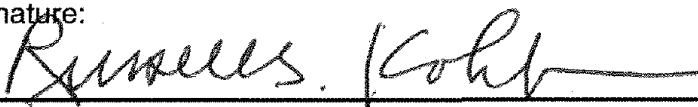


CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2872	WTL, WAM	3/17/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
FUKUNAGA, Carol				/
TOKUDA, Jill N.	/			
WHALEN, Paul	/			
TOTAL	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes