

STAND. COM. REP. NO.

312

Honolulu, Hawaii

FEB 14 2007

RE: S.B. No. 1644
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.B. No. 1644 entitled:

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

begs leave to report as follows:

The purpose of this measure is to mitigate the adverse effects of the March 2006 mudslides on the residents of Maunalaha, Oahu.

The measure accomplishes this purpose by:

- (1) Establishing a Maunalaha Infrastructure Development Special Fund and a Maunalaha Housing Revolving Fund to assist Maunalaha residents in rebuilding their homes; and
- (2) Authorizing the Department of Land and Natural Resources to transfer leases at Maunalaha, Oahu, in the event of damage due to adverse acts of nature that occurred between January 1 and April 1, 2006.

This measure also appropriates an unspecified amount for lease transfer costs for fiscal year 2007-2008, and appropriates an unspecified amount to the Maunalaha Infrastructure Development Special Fund for fiscal year 2007-2008, and requires a report to the 2008 Legislature regarding any lease transfers made.



Testimony in support of this measure was submitted by the Department of Land and Natural Resources, the Office of Hawaiian Affairs, the Maunalaha Valley Community Association, two individuals, and one individual who submitted a petition with over sixty signatures. Testimony in opposition to this measure was submitted by the Department of Budget and Finance.

Your Committee finds that in March 2006, record-breaking heavy rains on Oahu caused recurring mudslides in the Round Top-Tantalus area, eventually forcing families in one small neighborhood to evacuate after residents at the end of the cul-de-sac watched mud rush down the hill between their homes. Within a half an hour, an entire section of the hillside was gone - what was once a slope became a gorge in minutes. After the slide, mud covered the road leading up to the last three homes in Maunalaha Valley where about twenty-five people live in the three houses. Down the hill on Maunalaha Road, several other neighbors faced erosion from the rushing water, mud, and debris. While many of the immediate needs of the Maunalaha residents were met in the days and weeks following the flooding, the landslides created unstable conditions for some of the lessees, making repairs and rebuilding difficult, if not impossible.

Your Committee further finds that the lessees of Maunalaha Valley have resided there for many decades, and the leases executed under Act 225, Session Laws of Hawaii 1981, as amended by Act 40, Session Laws of Hawaii 1982, are intended to meet a moral obligation to provide long-term stability and land tenure for these families.

Your Committee amended this measure by clarifying that the Department of Land and Natural Resources shall report to the 2008 Legislature regarding any lease transfers made, and by making technical amendments for the purpose of clarity.

It is the intent of your Committee to establish two funds, the Maunalaha Infrastructure Development Special Fund, and the Maunalaha Housing Revolving Fund and to authorize the Department of Land and Natural Resource to transfer leases at Maunalaha, Oahu, to mitigate the damage caused by adverse acts of nature that occurred between January 1 and April 1, 2006.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the



intent and purpose of S.B. No. 1644, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1644, 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, Land,
Agriculture, and Hawaiian
Affairs,

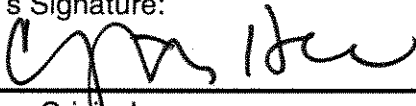


RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WAH

Bill / Resolution No. :* <i>S.B. 1644</i>	Committee Referral: <i>WAH, WAM</i>	Date: <i>2/12/07</i>		
<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 checked="" 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
KOKUBUN, Russell S. (C)	/			
TOKUDA, Jill N. (VC)	/			/
FUKUNAGA, Carol	/			
HEE, Clayton	/			
SLOM, Sam			/	
TOTAL	<i>3</i>		<i>1</i>	<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:	Original	Yellow	Pink	
	File with Committee Report	Clerk's Office	Drafting Agency	

*Only one measure per Record of Votes