

STAND. COM. REP. NO.

2645

Honolulu, Hawaii

FEB 28 2008

RE: S.B. No. 2835
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 S.B. No. 2835 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require state and county agencies to ensure that a public right-of-way is available prior to the approval of any development project, subdivision, or zoning change, and to modify the definition of "public recreational area".

Testimony in support of this measure was submitted by the Kuli'ou'ou / Kalani Iki Neighborhood Board #2, Windward Ahupua'a Alliance, Office of Hawaiian Affairs, Sierra Club Hawaii Chapter, a Hawai'i County councilmember, Livable Hawaii Kai Hui, and sixteen individuals. Testimony expressing concern with this measure was submitted by the State Attorney General. Testimony in opposition to this measure was submitted by the City and County of Honolulu Department of Planning and Permitting and Hawaii Association of Realtors.

Your Committee recognizes the importance of providing for greater protection of the public's right to access coastal and inland recreational areas.

Your Committee has amended this measure by:

- (1) Amending the effective date to July 1, 2050; and

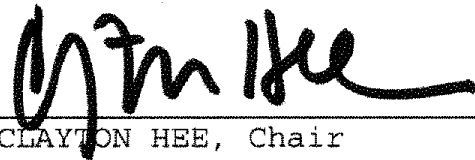
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- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2835, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2835, S.D. 1, and be placed on the calendar for Third Reading.

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.:* SB 2835	Committee Referral: WTL	Date: 2/20/08
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	X			
KOKUBUN, Russell S. (VC)				X
FUKUNAGA, Carol				X
TOKUDA, Jill N.	X			
WHALEN, Paul	X			
TOTAL	3	0	0	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:

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*Only one measure per Record of Votes