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Telephone (808) 241-6371
Fax (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Room 206
Lihue, Kauai, Hawaii 96766-1371

Testimony of Council Vice Chair Mel Rapozo
Kauai County Council

and
President of the
Hawaii State Association of Counties

On
SB 2170, Relating to Public Land
SB 2172, Relating to the Hawaii Public Procurement Code
SB 2177, Relating to Public Land Liability
Senate Committee on Intergovernmental and Military Affairs

February 4, 2008

1:15 p.m.

Conference Room 229

LATE TESTIMONY

Dear Chair Inouye and Members:

Thank you for the opportunity to submit testimony in support of three measures which are of concern to the counties and before your committee -- SB 2170, SB 2172 and SB 2177.

SB 2170 and SB 2172 has been approved as part of the Hawaii State Association of Counties' (HSAC's) Legislative Package which is comprised of members from each County Council and the Mayors of each county as ex-officio members.

SB 2172, Relating to the Hawaii Public Procurement Code proposes to remove the requirement for local governments to comply with rules adopted by the policy board and places the decision-making power to use cooperative contracts within the discretion of local governments. This amendment would provide local governments will another option when deciding whether to enter into a cooperative contract.

There is a flaw in the language of SB 2170, Relating to Public Land, however SB 2177 which has been approved as part of the Kauai County Legislative Package contains all the necessary language that should be included in this measure. These measures were introduced to clarify the county's immunity in operating county parks by deleting the exclusion of public beach parks from the definition of "improved public lands".

I humbly request your favorable consideration in passage of SB 2172 and SB 2177.

Sincerely,

Mel Rapozo
Council Vice Chair/HSAC Board Member