

STAND. COM. REP. NO.

843

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 643

S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 643, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to transfer the management of Kahana Valley state park from the Department of Land and Natural Resources to the Department of Hawaiian Home Lands.

Your Committee received one written comment on the measure. Copies of written comments submitted are available for review on the Legislature's website.

Your Committee finds that after the condemnation of the valley, the people of Kahana, many of them native Hawaiian, lobbied the Legislature to allow them to stay in the valley and preserve their rural native Hawaiian lifestyle. In 1970, a Governor's task force proposed the concept of a living park that would allow the families to stay, and in some way participate, in the care and maintenance of the park. The Governor recommended the concept to the Department of Land and Natural Resources and the residents were allowed to stay on the land under revocable leases. As a condition of their lease, each Kahana Valley family was required to contribute twenty-five hours of interpretive services per month to the park to preserve, restore, and share the history and rural lifestyle of the ahupua'a of Kahana with the public.

SB643 SD2 SSCR LRB 09-2629.doc



Your Committee further finds that thirty-one original families qualified for the long-term residential leases. However, descendants of six families that did not originally qualify for long-term residential leases remained in Kahana Valley State Park. The Department of Land and Natural Resources recently started eviction actions against these six families. Your Committee believes that transferring management of Kahana Valley to the Department of Hawaiian Home Lands will allow the State, with input from the Native Hawaiian community, and current residents of the valley to resolve any lease and land use issues amicably instead of through the eviction process.

Your Committee has amended the measure by:

- (1) Changing the effective date to July 1, 2050, to promote further discussion on this issue; and
- (2) Making technical nonsubstantive changes for 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 S.B. No. 643, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 643, S.D. 2.

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

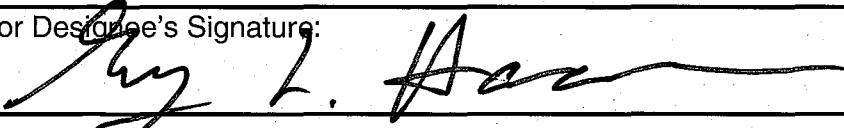


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 643, SD1	WTL, WAM	FEB 27, 2009		
<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
KIM, Donna Mercado (C)	✓			
TSUTSUI, Shan S. (VC)				✓
CHUN OAKLAND, Suzanne	✓			
ENGLISH, J. Kalani	✓			
FUKUNAGA, Carol	✓			
GALUTERIA, Brickwood				✓
HEE, Clayton	✓			
HOOSER, Gary L.	✓			
KIDANI, Michelle N.	✓			
KOKUBUN, Russell S.				✓
TOKUDA, Jill N.	✓			
HEMMINGS, Fred				✓
TOTAL	8			4
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				

*Only one measure per Record of Votes