

STAND. COM. REP. NO. 167

Honolulu, Hawaii

Feb 11, 2009

RE: H.B. No. 645
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 645 entitled:

"A BILL FOR AN ACT RELATING TO KAENA POINT,"

begs leave to report as follows:

The purpose of this bill is to allow overnight camping at Kaena Point State Park on the island of Oahu by removing any restrictions imposed by the Department of Land and Natural Resources (DLNR) on overnight camping at Kaena Point State Park.

Numerous concerned individuals testified in support of this bill. DLNR and several concerned individuals opposed this measure. The Office of Hawaiian Affairs and a concerned individual provided comments.

Upon careful consideration, your Committee has amended this bill by replacing the provisions in the bill with a pilot program to be established by DLNR to issue annual passes to Hawaii residents that allow them to fish overnight at Kaena Point State Park Reserve in Waialua, which will allow them to fish at night while in possession of sleeping bags, tents, tarpaulins, and other camping paraphernalia currently prohibited under the Administrative Rules. This bill also:

HB645 HD1 HSCR WLO HMS 2009-1887




- (1) Requires annual pass holders to comply with and be subject to all conditions DLNR may impose upon the pass holder as a condition to the issuance of the pass, including the requirement to:
 - (a) Possess and carry the annual pass at all times while at Kaena Point; and
 - (b) Promptly report any illegal activity sighted at Kaena Point.
- (2) Includes a sunset date of July 1, 2011;
- (3) Requires DLNR to submit a report on the increase or decrease of illegal activity at Kaena Point State Park Reserve to the Legislature at least 20 days prior to the convening of the 2011 Regular Session; and
- (4) Urges the 2011 Legislature to review DLNR's report and take appropriate action on the sunset date of the Act.

Technical, nonsubstantive amendments were also made for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 645, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 645, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,



KEN ITO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: HB 645	Committee Referral: WLO, FIN	Date: 2/6/09
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida	✓			
4. CHANG, Jerry L.	✓			
5. CHONG, Pono	✓			
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.				✓
8. LEE, Chris	✓			
9. LUKE, Sylvia	✓			
10. MORITA, Hermina M.	✓			
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.	✓			
13. THIELEN, Cynthia	✓			
TOTAL (13)	12			1

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: K. L.

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