

STAND. COM. REP. NO.

451

Honolulu, Hawaii

MAR 05 2009

RE: S.B. No. 411
S.D. 1

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

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.B. No. 411 entitled:

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

begs leave to report as follows:

The purpose of this measure is to permit overnight camping at Kaena Point State Park, subject to rules adopted pursuant to chapter 91, Hawaii Revised Statutes.

Testimony in support of this measure was submitted by one state agency and thirty-four public citizens. Two public citizens supported the intent of this measure. Testimony in opposition was submitted by one state agency, one organization, and one public citizen. Copies of written testimony are available for review on the Legislature's website.

The Department of Land and Natural Resources permits fishing at Kaena Point State Park at any time during the day or night. However, fishers have been cited and fined by the Division of Conservation and Resources Enforcement for possession of camping-related paraphernalia. Testifiers described the paraphernalia as folding chairs, coolers, and other items used while fishing.

Your Committee finds that Kaena Point State Park is a unique area, and urges the Department of Land and Natural Resources to cooperate with the community to develop administrative rules to allow fishers and other responsible stewards to camp overnight. Your Committee believes that by working together to develop



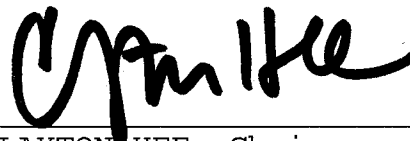
administrative rules unique to the character of Kaena Point State Park and the community surrounding it, people can continue to use the park and minimize adverse environmental impacts of overnight camping and fishing.

Your Committee has amended this measure by:

- (1) Directing the Department of Land and Natural Resources to develop administrative rules to permit overnight camping at Kaena Point State Park by July 1, 2010;
- (2) Requiring the Department of Land and Natural Resources to submit a report to the Legislature within twenty days prior to the convening of the 2010 Regular Session on the progress of the Kaena Point State Park administrative rule adoption process; and
- (3) Making technical, nonsubstantive changes for consistency and clarity.

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. 411, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 411, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,




CLAYTON HEE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

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

Bill / Resolution No.:* SB 411	Committee Referral: WTL	Date: 2/11/09		
<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
HEE, Clayton (C)	✓			
TOKUDA, Jill N. (VC)	✓			
BUNDA, Robert	✓			
FUKUNAGA, Carol	✓			
KOKUBUN, Russell S.	✓			
TAKAMINE, Dwight Y.				✓
HEMMINGS, Fred				✓
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes