

STAND. COM. REP. NO.

666

Honolulu, Hawaii

MAR - 6 2009

RE: S.B. No. 638
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. 638, 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 establish a temporary moratorium on evictions of Kahana Valley residents and establish a planning council to draft a master plan.

More specifically, this measure:

- (1) Establishes a two year moratorium on evictions of persons who at the time of the enactment of this measure have:
 - (A) Participated in the interpretive programs for Kahana Valley State Park; and
 - (B) Either continuously lived in the valley since before 1987, or hold, or have held, a long-term lease or permit to reside there; and
- (2) Establishes a planning council in the Department of Land Natural Resources, for administrative purposes, to develop a living park master plan for Kahana Valley State Park.



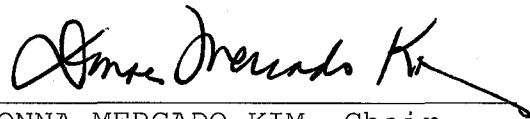
Your Committee received one written comment on this measure. Copies of written comments submitted are available for review on the Legislature's website.

Your Committee finds that the establishment of a planning council, comprised of three of seven members who are residents of Kahana Valley, further the State's intent to make the Kahana Valley State Park a living interpretive state park that demonstrates a modern living native Hawaiian community. Further, your Committee believes that the development of a living park master plan would be hampered with the continuation of the eviction of valley residents claiming a right to live in Kahana Valley.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to allow for further discussion of this measure.

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. 638, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 638, S.D. 2.

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

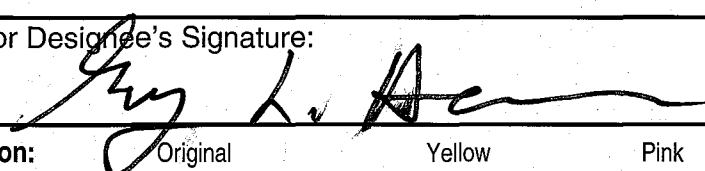


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 638, SD 1	Committee Referral: WTL, WAM	Date: 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