

STAND. COM. REP. NO.

514

Honolulu, Hawaii

Feb 18 , 2011

RE: H.B. No. 389
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and
Hawaiian Affairs, to which was referred H.B. No. 389, H.D. 1,
entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

beg leave to report as follows:

The purpose of this bill is to protect one of Hawaii's
wetland areas and restore it to productive use. Specifically,
this measure seeks to protect and restore the Heeia wetlands,
eliminate invasive species in the area, and establish an
agricultural and educational center at the wetlands by, among
other things:

- (1) Establishing the Heeia Community Development District,
and stipulating its boundaries;
- (2) Establishing general policies to guide the development
of the District;
- (3) Creating the Heeia Development Community Revolving Fund
along with a dedicated revenue stream to be deposited
into the Fund; and
- (4) Providing the Hawaii Community Development Authority
(HCDA) with the authority to assess all land users for
their fair share of the costs required to administer and
operate the District.

HB389 HD2 HSCR WLO-HAW HMS 2011-2376



The Chair of the Kahalu'u Neighborhood Board No. 29, HCDA, The Nature Conservancy of Hawaii, Kako'o 'Oiwi of Hawaii, Ko'olaupoko Hawaiian Civic Club, and several concerned individuals testified in support of this bill. The Department of Budget and Finance and Department of Business, Economic Development, and Tourism provided comments.

Your Committees have amended this bill by:

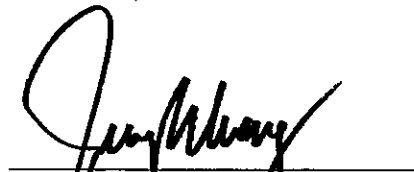
- (1) Increasing the number of individuals appointed to HCDA to represent the District from two to three;
- (2) Deleting the provision that provides HCDA with the authority to assess fees for the administration and operation of the District;
- (3) Inserting language stipulating that the special management area permit administration for the District shall continue to be under the authority of the City and County of Honolulu; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 389, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 389, H.D. 2, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, &
Ocean Resources and Hawaiian
Affairs,



FAYE HANOHANO, Chair



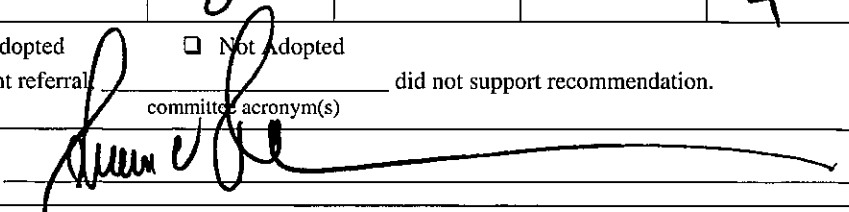
JERRY L. CHANG, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 514

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

Bill/Resolution No.: HB 389, HD1	Committee Referral: WLO/HAW, FIN	Date: 2/16/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. CHANG, Jerry L. (C)	✓			
2. HAR, Sharon E. (VC)	✓			
3. CABANILLA, Rida T.R.				✓
4. CARROLL, Mele				✓
5. CHONG, Pono				✓
6. COFFMAN, Denny	✓			
7. HERKES, Robert N.	✓			
8. ITO, Ken	✓			
9. MORITA, Hermina M.				✓
10. NAKASHIMA, Mark M.	✓			
11. RIVIERE, Gil	✓			
12. THIELEN, Cynthia	✓			
TOTAL (12)	8			4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted <input type="checkbox"/> joint referral committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Hawaiian Affairs

Bill/Resolution No.: HB 389 HD1	Committee Referral: WLO/HAW,FIN	Date: 2/16/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HAW Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)	✓			
2. LEE, Chris (VC)	✓			
3. BELATTI, Della Au	Ad			X
4. JORDAN, Jo	✓			
5. MIZUNO, John M.	✓			
6. MORIKAWA, Dee	✓			
7. WOOLEY, Jessica	✓			
8. YAMANE, Ryan I.	✓			
9. PINE, Kymberly Marcos	.			X
10. WARD, Gene	✓			
TOTAL (10)	8	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				