

STAND. COM. REP. NO. **3010**

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 2246
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Judiciary and Labor, to which was referred H.B. No. 2246, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HAIKU VALLEY,"

beg leave to report as follows:

The purpose and intent of this measure is to establish the Haiku Valley Cultural Preserve Commission (Commission) to have policy and management oversight over the Haiku Valley Cultural Preserve (Preserve).

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Oahu Council, Koolaupoko Civic Club, and Association of Hawaiian Civic Clubs. Testimony in opposition to this measure was received from the Center of Hawaiian Sovereignty Studies. The Department of Business, Economic Development, and Tourism, Department of Budget and Finance, and two individuals submitted comments.

Your Committees find that this measure would greatly assist in protecting and perpetuating the unique cultural landscape and heritage center of the Haiku Valley. Hawaiian civic groups have been working for many years to care for the valley and are in need of a centralized authority to lead a cohesive and unified effort to preserve the valley's cultural and historic resources for the people of Hawaii and future generations.



As this measure moves along in the legislative process, your Committees urge your Committee on Ways and Means to consider adding a member to the Commission to be a community representative from Haiku Valley.

Your Committees have amended this measure by:

- (1) Deleting the requirement that the Chairperson of the Board of Land and Natural Resources designate Native Hawaiian organizations, who submit nominees to the Governor for appointment to the Commission;
- (2) Authorizing the Commission to hire employees exempt from civil service;
- (3) Deleting the requirement that the Commission's jurisdiction extend over all public lands within the Haiku Village Cultural Preserve;
- (4) Deleting the requirement that existing uses of private land within the preserve continue under the Commission;
- (5) Requiring the Commission to have those powers and carry out those duties conferred upon the Board of Land and Natural Resources and Land Use Commission with regard to dispositions and approvals pertaining to the Preserve and transferring powers and duties accordingly;
- (6) Amending the responsibilities and duties of the Commission;
- (7) Requiring the Commission to carry out the duties of the Island Burial Councils and the Department of Land and Natural Resources regarding burial sites and human skeletal remains found in the preserve;
- (8) Deleting language relating to the administrative violation system;
- (9) Replacing the language that appropriated funds from the native Hawaiian rehabilitation fund with language directing the Office of Hawaiian Affairs to fund this measure;
- (10) Changing the effective date to upon approval; and



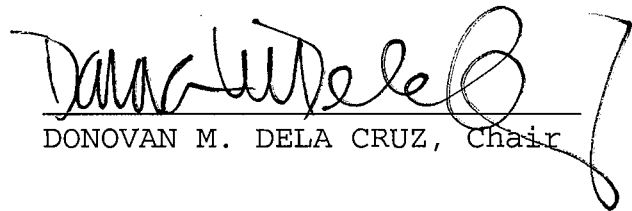
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2246, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2246, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, and
Housing and Judiciary and
Labor,



CLAYTON HEE, Chair



DONOVAN M. DELA CRUZ, Chair



