

STAND. COM. REP. NO.

2404

Honolulu, Hawaii

FEB 17 2012

RE: S.B. No. 2524
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 S.B. No. 2524 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 that will have policy and management oversight of the Haiku Valley Cultural Preserve.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Koolaupoko Hawaiian Civic Club, Koolau Foundation, Kakoo Oiwī, and one individual. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that Haiku Valley is of significant cultural and historic importance to the State and its residents. Haiku Valley is renowned for its archaeological, cultural, and historic sites, including loi, sacred sites, and burial sites. Your Committees find that preserving the Valley's cultural and historic resources and educating the public about these resources is of paramount importance.

Your Committees further find that the Valley's fragmented ownership and limited stewardship have placed its cultural and historic resources at high risk. Ensuring adequate management of,

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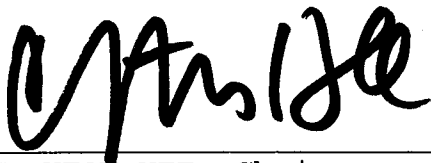
and appropriate access to, the Valley has proven elusive and consequently, a commission is deemed necessary to provide a system that recognizes the Valley's unique challenges and preserves in perpetuity its cultural and historic resources for the people of Hawaii.

However, your Committees understand the Department of Land and Natural Resources' reservations. Upon further consideration, your Committees have amended this measure by adopting suggested amendments from the Department to:

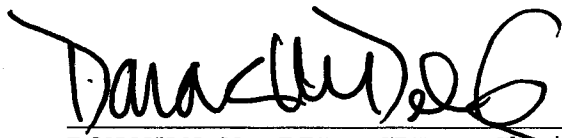
- (1) Require the Commission to establish boundaries, excluding private lands;
- (2) Change the membership of the Commission by designating the Executive Director of the Koolau Foundation and the Administrator of the Office of Hawaiian Affairs as members;
- (3) Repeal the administrative violation system as the Board of Land and Natural Resources has no process in place to vet decisions of the Commission; and
- (4) 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 S.B. No. 2524, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2524, 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



