

STAND. COM. REP. NO.

443

Honolulu, Hawaii

February 14, 2013

RE: H.B. No. 509
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committees on Water & Land and Ocean, Marine Resources,
& Hawaiian Affairs, to which was referred H.B. No. 509 entitled:

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

beg leave to report as follows:

The purpose of this measure is to clarify the maintenance responsibilities, permissible usage, and ownership of Makua Valley on the island of Oahu by establishing the Makua Valley Reserve Commission to, among other duties, oversee preservation and restoration activities within the Valley.

The Department of Land and Natural Resources and several individuals testified in support of this measure. The Office of Hawaiian Affairs supported this measure with amendments. The Department of the Army, Regional Environmental and Energy Office; Department of Budget and Finance; The Military Affairs Council of the Chamber of Commerce of Hawaii; Hawaii's Veterans of Foreign Wars; and an individual testified in opposition to this measure. The Department of Business, Economic Development, and Tourism; Earthjustice; Life of the Land; and a few individuals provided comments on this measure.

Your Committees note the importance of State preparedness for the transition of kuleana of Makua Valley from the federal government to the State in 2029. For this purpose, your Committees further note that the Makua Valley Reserve Advisory

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Committee is composed entirely of stakeholders in the preservation and restoration of Makua Valley Reserve.

Your Committees have amended this measure by:

- (1) Deleting provisions that established and granted specific authority to the Makua Valley Reserve Commission, including the power to establish and enforce penalties, and enter into agreements regarding Makua Valley;
- (2) Establishing instead the Makua Valley Reserve Advisory Committee purposed with acting in an advisory capacity to assist with developing a plan for the restoration and preservation of the valley;
- (3) Deleting provisions relating to the holding of Makua Valley in a public land trust upon its transfer to the State;
- (4) Deleting provisions relating to the creation of the Makua valley rehabilitation trust fund; and
- (5) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 509, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 509, H.D. 1, and be referred to the Committee on Finance.

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



FAYE P. HANOHANO, Chair



CINDY EVANS, Chair



