

STAND. COM. REP. NO.

875

Honolulu, Hawaii

March

, 2013

RE: H.B. No. 509

H.D. 2

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 509, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a Makua Valley Reserve Advisory Committee to develop a plan for preservation and restoration activities in Makua Valley on the island of Oahu and to participate with state and county agencies in carrying out its responsibilities.

Earthjustice; Hawaii Peace and Justice; and several individuals testified in support of this measure. The United States Department of the Army, Regional Environmental and Energy Office - Western testified in opposition to this measure. The Department of Land and Natural Resources; Office of Hawaiian Affairs; the Chamber of Commerce of Hawaii; and two individuals offered comments.

Your Committee has amended this measure by:

- (1) Deleting provisions that established the Makua Valley Reserve Advisory Committee charged with acting in an advisory capacity to assist with developing a plan for the restoration and preservation of the Valley Reserve;



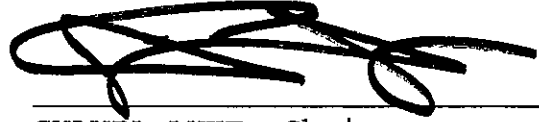
- (2) Establishing instead the Makua Valley Reserve Commission, consisting of seven members, with specific authority to oversee the Department of Land and Natural Resources and other state agencies and to determine permissible uses, approve contracts, provide advice, enter into agreements, and adopt rules regarding the use and stewardship of Makua Valley and hire and delegate authority to employees to carry out its purposes;
- (3) Providing that the Department of Land and Natural Resources will implement, enforce, and provide administrative support for the control and management of Makua Valley subject to the oversight of the Commission;
- (4) Providing that the resources of Makua Valley Reserve will be held as a public land trust upon the cancellation or termination of the existing lease and shall be transferred to a sovereign Native Hawaiian entity upon such an entity's recognition by the United States and the State;
- (5) Providing interim activities for the Commission while the Valley Reserve is still under lease to the United States Army;
- (6) Establishing a Makua Valley Rehabilitation Trust Fund to be administered by the Department of Land and Natural Resources subject to the prior approval of the Commission; and
- (7) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 509, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 509, H.D. 2.



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Respectfully submitted on
behalf of the members of the
Committee on Finance,



SYLVIA LUKE, Chair



