

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 1361
S.D. 2
H.D. 1

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

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 1361, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO BANYAN DRIVE,"

begs leave to report as follows:

The purpose of this measure is to require the Department of Land and Natural Resources to negotiate with the County of Hawaii for the lease of certain properties located near or adjacent to Banyan Drive to the County.

The Mayor of the County of Hawai'i; Hawai'i Island Chamber of Commerce; Big Island Toyota, Inc.; and one individual submitted testimony in support of this measure. The Department of Land and Natural Resources submitted testimony in opposition to this measure.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to the lease of public lands to the County of Hawaii and replacing them with new language that:
 - (A) Establishes the Banyan Drive Community Development Board to advise the Department of Land and Natural Resources on the restoration and management of the



Banyan Drive area until its dissolution on July 1, 2020;

- (B) Authorizes the Board to undertake specified planning, development, and policy-making activities; and
 - (C) Directs the Board to report annually to the Legislature;
- (2) Making an unspecified appropriation to be expended by the Department of Land and Natural Resources;
 - (3) Changing its effective date to upon its approval; and
 - (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that in its discussion of this measure, it arose that the option of buying out existing leases for properties on Banyan Drive for management purposes is available to the Department of Land and Natural Resources.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1361, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1361, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,


CINDY EVANS, Chair



