

STAND. COM. REP. NO.

1206

Honolulu, Hawaii

APR 01 2013

RE: S.R. No. 119
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Technology and the Arts and Water and Land, to which was referred S.R. No. 119 entitled:

"SENATE RESOLUTION URGING CONTINENTAL PACIFIC, LLC, TO PLACE AN IMMEDIATE STAY OF EVICTION TO ALLOW RESIDENTS OF KAHUKU VILLAGE TO REMAIN IN THEIR HOMES UNTIL AN ARCHAEOLOGICAL INVENTORY SURVEY CAN BE COMPLETED FOR THE ENTIRE PROJECT,"

beg leave to report as follows:

The purpose and intent of this measure is to urge Continental Pacific, LLC (Continental Pacific), to place an immediate stay of eviction to allow residents of Kahuku Village to remain in their homes until an archaeological inventory survey can be completed for the entire project.

Your Committees received testimony in support of this measure from the Kahuku Plantation Residents Association and two individuals.

Your Committees find that the State Historic Preservation Division of the Department of Land and Natural Resources has indicated that no new permits will be granted to Continental Pacific until the developer has conducted an archaeological inventory survey for the Kahuku Village project. Your Committees further find that in the absence of a response from the Department of Land and Natural Resources, your Committees will rely on the testimony from the Kahuku Plantation Residents Association, which states that the State Historic Preservation Division has refused to enforce its own order for an archaeological inventory survey to



be performed. This measure is important to ensure the protection of burial sites, since iwi were found during excavation.

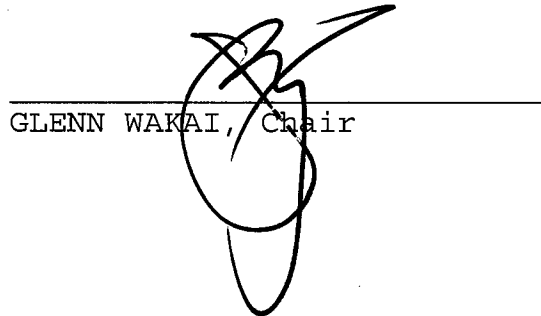
Your Committees have amended this measure by changing the title to read, "URGING CONTINENTAL PACIFIC, LLC, AND THE STATE HISTORIC PRESERVATION DIVISION TO, AMONG OTHER THINGS, PLACE AN IMMEDIATE STAY OF EVICTION TO ALLOW RESIDENTS OF KAHUKU VILLAGE TO REMAIN IN THEIR HOMES UNTIL AN ARCHAEOLOGICAL INVENTORY SURVEY CAN BE COMPLETED FOR THE ENTIRE PROJECT AND ENSURE THAT THE KAHUKU VILLAGE PROJECT ADHERES TO ALL REQUIREMENTS, INCLUDING REQUIREMENTS FOR THE TREATMENT OF BURIAL REMAINS AND FOR CONDOMINIUM PROPERTY REGIMES".

As affirmed by the records of votes of the members of your Committees on Technology and the Arts and Water and Land that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 119, as amended herein, and recommend that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as S.R. No. 119, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Technology and
the Arts and Water and Land,



MALAMA SOLOMON, Chair



GLENN WAKAI, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Technology and the Arts
TEC

Bill / Resolution No.:* HR 119	Committee Referral: TEC/WTL, JDL	Date: 4-1-13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
GABBARD, Mike				✓
TOKUDA, Jill N.	✓			
SLOM, Sam				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

SR119

Bill / Resolution No.:* SR119	Committee Referral: TEC/WTL, JDL	Date: 4/01/13
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SOLOMON, Malama (C)	/			
SHIMABUKURO, Maile S.L. (VC)				/
DELA CRUZ, Donovan M.	/			
IHARA, Jr., Les				/
RUDERMAN, Russell E.	/			
THIELEN, Laura H.	/			
SLOM, Sam		/		
TOTAL	4	1		2

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:

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