

Honolulu, Hawaii

FEB 13 2013

RE: S.B. No. 1361

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 Water and Land and Public Safety,
Intergovernmental and Military Affairs, to which was referred S.B.
No. 1361 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to transfer in fee
simple certain property located adjacent to or near Banyan Drive
in Hilo, Hawaii, to the County of Hawaii on January 1, 2014.

Your Committees received comments on this measure from the
Department of Land and Natural Resources and County of Hawaii.
Your Committees received testimony in opposition to this measure
from the Hawaiian Affairs Caucus of the Democratic Party of
Hawaii.

Your Committees find that the jurisdiction over the Banyan
Drive properties located on the Island of Hawaii should rightfully
rest with the County of Hawaii as the more appropriate government
administrative entity.

Your Committees note that Banyan Drive itself was transferred
to the County of Hawaii by Land Office Deed dated July 16, 1969,
according to records of the Department of Land and Natural
Resources.

Your Committees have amended this measure by:



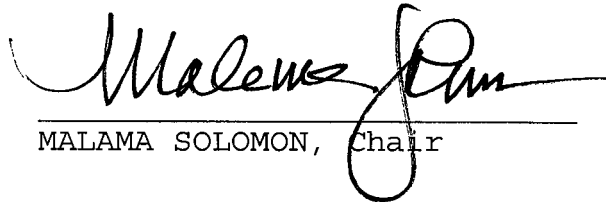
- (1) Authorizing the transfer of the subject properties as a legislative mandate, rather than through an executive order issued by the Governor;
- (2) Identifying the specific properties along Banyan Drive to be transferred to the County of Hawaii; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1361, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1361, 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 and Land
and Public Safety,
Intergovernmental and Military
Affairs,



WILL ESPERO, Chair

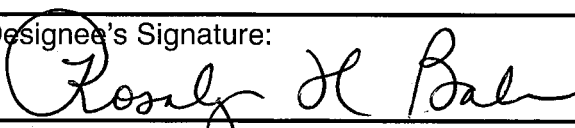


MALAMA SOLOMON, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
8B 1361	WTL/PSM, WAM	2-5-2013		
<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
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, Josh				✓
SLOM, Sam	✓			
TOTAL	3	-	-	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes