

STAND. COM. REP. NO.

1048

Honolulu, Hawaii

APR 04 2011

RE: S.C.R. No. 14
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred S.C.R. No. 14, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION DISAPPROVING THE RESET ASIDE OF THE FORMER KULANI CORRECTIONAL FACILITY LANDS FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF DEFENSE FOR A YOUTH CHALLENGE ACADEMY,"

begs leave to report as follows:

The purpose and intent of this measure is to disapprove of the reset aside of 614.14 acres of former Kulani Correctional Facility lands from the Department of Public Safety to the Department of Defense for a Youth Challenge Academy.

Your Committee received testimony in support of this measure from the Department of Public Safety, Community Alliance on Prisons, The Drug Policy Forum of Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

On September 9, 2010, the Board of Land and Natural Resources voted to approve the reset aside of 614.14 acres of former Kulani Correctional Facility lands from the Department of Public Safety to the Department of Defense for a Youth Challenge Academy, and related easements.

At the September 9, 2010, Board of Land and Natural Resources hearing, the reset aside of lands to the Youth Challenge Academy

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generated considerable discussion, and a number of issues were raised, including funding, land tenure, and the size of the facility needed for the Youth Challenge Academy.

Pursuant to section 171-11, Hawaii Revised Statutes, the Governor may, with the prior approval of the Board of Land and Natural Resources, set aside public lands to any department or agency of the State or its political subdivisions for a public use or purpose. The power granted to the Governor to set aside, withdraw, or withdraw and set aside public lands shall be exercised subject to disapproval by the Legislature by two-thirds vote of either the Senate or the House of Representatives or by the majority vote of both, in any regular or special session next following the date of the setting aside or withdrawal.

Your Committee has amended this measure by:

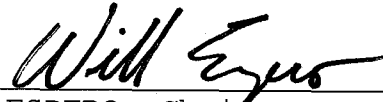
- (1) Requesting the Department of Defense to look to other places on the Big Island to relocate the Youth Challenge Academy;
- (2) Urging the Department of Public Safety to reopen Kulani Correctional Facility at the present site of the Youth Challenge Academy and to rehire the same staff;
- (3) Amending its title accordingly; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 14, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 14, S.D. 2.



1048

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Government Operations, and
Military Affairs,



WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* SCR 14, SDI	Committee Referral: WLH, PGM	Date: 3-31-11		
<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)	/			
KIDANI, Michelle N. (VC)	/			
BAKER, Rosalyn H.				/
RYAN, Pohai	/			
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>Michelle N. Kidani</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