

Honolulu, Hawaii

Feb 17 , 2012

RE: H.B. No. 2246

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and
Hawaiian Affairs, to which was referred H.B. No. 2246 entitled:

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

beg leave to report as follows:

The purpose of this measure is to:

- (1) Establish the Haiku Valley Cultural Preserve Commission to provide policy and management oversight of the Haiku Valley Cultural Preserve; and
- (2) Initiate the process of conveying Haiku valley in fee simple to the Department of Land and Natural Resources.

The Oahu Council Association of Hawaiian Civic Clubs, Koolaupoko Hawaiian Civic Club, Kakoo Oihi, Association of Hawaiian Civic Clubs, and several individuals submitted testimony in support of this measure. The Department of Hawaiian Homelands testified in support of the intent of this measure. The Office of Hawaiian Affairs testified in support of this measure with amendments. One individual opposed this measure. The Department of Land and Natural Resources and the Department of Budget and Finance submitted comments on this measure.



Your Committee amended this measure by, among other things:

- (1) Defining the boundaries of the Haiku Valley Cultural Preserve;
- (2) Requiring the Board of Land and Natural Resources to approve all actions that the Department of Land and Natural Resources takes pursuant to this chapter;
- (3) Requiring the Board of Land and Natural Resources to adopt rules to address decisions taken by the Commission;
- (4) Including on the Commission:
 - (A) The executive director of the Koolau Foundation or the executive director's designee; and
 - (B) The administrator of the Office of Hawaiian Affairs or the administrator's designee;
- (5) Clarifying that the jurisdiction of the Commission is limited to public lands within the Haiku Valley Cultural Preserve;
- (6) Allowing existing uses as of the effective date of this measure on private lands to continue;
- (7) Deleting the powers and duties of the Board of Land and Natural Resources with regard to dispositions and approvals pertaining to the Haiku Cultural Valley Preserve;
- (8) Deleting the powers and duties otherwise conferred on the Island Burial Councils and the Department of Land and Natural Resources with regard to the proper treatment of burial sites and iwi kupuna found in the preserve; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the charter schools have not submitted testimony on this measure.




As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2246, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2246, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, &
Ocean Resources and Hawaiian
Affairs,



FAYE HANOHANO, Chair



JERRY L. CHANG, Chair



