

STAND. COM. REP. NO. **3301**

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2246
H.D. 2
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2246, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish the Haiku Valley Cultural Preserve Commission to oversee the preservation of Haiku Valley's cultural and historical resources.

Your Committee received written comments on this measure from the Department of Budget and Finance and the Department of Business, Economic Development, and Tourism-Office of Planning.

Your Committee finds that Haiku Valley has significant cultural and historical value. Your Committee further finds that establishing a commission to develop permissible uses of the valley, approve contracts, and provide advice to the Governor and agencies will ensure the preservation of archaeological and cultural sites while balancing the interests of the owners of Haiku Valley.

Your Committee has amended this measure by:

- (1) Adding the requirement that, in any judicial proceeding to recover an administrative penalty under section -9(c), the Commission must also show that the penalty



has not been appealed or that all appeals have been exhausted; and

- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on this measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2246, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2246, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

| | | | | |
|---|---|---------------------------------------|----------------------------------|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| HB2246 HD2 SD1 | WLH/JDL, WAM | 3-29-12 | | |
| <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 |
| IGE, David Y. (C) | ✓ | | | |
| KIDANI, Michelle N. (VC) | ✓ | | | |
| CHUN OAKLAND, Suzanne | ✓ | | | |
| DELA CRUZ, Donovan M. | ✓ | | | |
| ENGLISH, J. Kalani | ✓ | | | |
| ESPERO, Will | ✓ | | | |
| FUKUNAGA, Carol | ✓ | | | |
| KIM, Donna Mercado | ✓ | | | |
| KAHELE, Gilbert | ✓ | | | |
| KOUCHI, Ronald D. | | | | ✓ |
| RYAN, Pohai | ✓ | | | |
| TOKUDA, Jill N. | ✓ | | | |
| WAKAI, Glenn | ✓ | | | |
| SLOM, Sam | ✓ | | | |
| | | | | |
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| | | | | |
| TOTAL | 13 | 0 | 0 | 1 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
|  | | | | |
| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | Goldenrod Committee File Copy | |

*Only one measure per Record of Votes