

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2738  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian  
Affairs, to which was referred S.B. No. 2738 entitled:

"A BILL FOR AN ACT RELATING TO THE LEGACY LAND CONSERVATION  
COMMISSION,"

begs leave to report as follows:

The purpose of this measure is to authorize the Chairperson  
of the Natural Area Reserves System Commission to designate a  
representative from the Natural Area Reserves System Commission to  
serve on the Legacy Land Conservation Commission and authorize the  
members of the Legacy Land Conservation Commission to elect the  
chairperson.

Prior to holding a public hearing on this measure, a proposed  
S.D. 1 was prepared and made available for public review. The  
proposed S.D. 1 includes the purpose of the measure, and adds  
amendments to:

- (1) Expand the responsibilities of the Legacy Land  
Conservation Commission to include the protection of  
lands and the environment from harmful invasive species  
infestations and the costs related to infestation  
eradication; and
- (2) Permit the Land Conservation Fund to pay grants to state  
and county agencies for harmful invasive species  
prevention and eradication efforts.



Testimony in support of the measure, excluding the amendments proposed in the S.D. 1, was submitted by one state agency, one organization, and two individuals. Those same testifiers opposed the amendments in the proposed S.D. 1, however, the organization and two individuals recognize the need for a dedicated fund for invasive species control. Testimony in support of the proposed S.D. 1 was submitted by one organization, and one organization submitted testimony in opposition. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the Chairperson of the Natural Area Reserves System Commission has a disproportionate amount of responsibility due to the statutory requirement that the Chairperson also serve as the Chairperson of the Legacy Land Conservation Commission, especially considering the position is a volunteer, unpaid position. This measure would permit the Chairperson to distribute the workload more evenly and fairly between members of the Legacy Land Conservation Commission and the Natural Area Reserves System Commission.

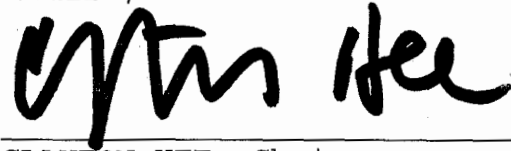
Additionally, your Committee finds that the State is at a critical juncture for invasive species control. Creative solutions are needed to fund the State's dire need for agricultural inspectors. The Land Conservation Fund presently has approximately \$4.3 million, and your Committee hopes that \$1 million of that total will be used for invasive species control. Although your Committee recognizes the concerns raised, more favorable solutions have not been offered. This is one method of providing the needed funding for the prevention and eradication of harmful invasive species.

Your Committee has amended this measure by incorporating the amendments set forth in the proposed S.D. 1.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2738, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2738, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land,  
Agriculture, and Hawaiian  
Affairs,

A handwritten signature in black ink, appearing to read "Clayton Hee", written over a horizontal line.

CLAYTON HEE, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WTL**

|   |   |   |     |         |
|---|---|---|-----|---------|
| Bill / Resolution No.:*<br><div style="font-size: 1.5em; font-family: cursive;">SB 2738</div>   | Committee Referral:<br><div style="font-size: 1.5em; font-family: cursive;">WTL</div> | Date:<br><div style="font-size: 1.5em; font-family: cursive;">2/17/10</div> |     |         |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____   |   |   |     |         |
| The Recommendation is:<br><div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended<br/>2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments<br/>2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold<br/>2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit<br/>2313         </div> </div> |   |   |     |         |
| Members   | Aye   | Aye (WR)  | Nay | Excused |
| HEE, Clayton (C)  | ✓   |   |     |         |
| ✓ TOKUDA, Jill N. (VC)  |   |   |     | ✓       |
| BUNDA, Robert   | ✓   |   |     |         |
| ✓ FUKUNAGA, Carol   |   |   |     | ✓       |
| KOKUBUN, Russell S.   | ✓   |   |     |         |
| TAKAMINE, Dwight Y.   | ✓   |   |     |         |
| ✓ HEMMING, Fred   |   |   |     | ✓       |
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| <b>TOTAL</b>  | 4   | 0   | 0   | 3       |
| Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>   |   |   |     |         |
| Chair's or Designee's Signature:<br><div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;"> </div>  |   |   |     |         |
| <b>Distribution:</b> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;">Original<br/>File with Committee Report</div> <div style="text-align: center;">Yellow<br/>Clerk's Office</div> <div style="text-align: center;">Pink<br/>Drafting Agency</div> <div style="text-align: center;">Goldenrod<br/>Committee File Copy</div> </div>   |   |   |     |         |

**\*Only one measure per Record of Votes**