

STAND. COM. REP. NO. **3103**

Honolulu, Hawaii

APR - 9 2010

RE: S.C.R. No. 138
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 Economic Development and Technology, to which was referred S.C.R. No. 138 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT FROM THE HAWAI'I CAPITAL CULTURAL COALITION,"

begs leave to report as follows:

The purpose of this measure is to request the Hawai'i Capital Cultural Coalition to provide a status report to the 2011 Legislature on:

- (1) The organization's development of the management plan required as part of the proposed designation of the Hawai'i Capital National Heritage Area;
- (2) The organization's efforts to address concerns raised by residential property owners and others during the 2009 Legislature's hearing process on S.C.R. No. 3 and H.C.R. No. 213, as well as current outreach efforts to area property owners, individuals, commercial entities, and others; and
- (3) Any concerns or other issues raised during the outreach efforts and how these will be addressed in the management plan.

Testimony in support of this measure was submitted by the Hawai'i Capital Cultural Coalition and the Chinatown Improvement



District. Comments were submitted by the Merchant Street Hawaiian Civic Club, Tantalus Community Association, Papakolea Community Association, Kewalo Hawaiian Homestead Association, Kalawahine Streamside Community Association, The Woodlands at Nuuanu, and eleven individuals.

Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that during the 2009 Legislature's hearing process on S.C.R. No. 3 and H.C.R. No. 213, regarding the designation of the Hawaii Capital Cultural District as a National Heritage Area, numerous concerns were raised by residential property owners and others regarding the Hawai'i Capital Cultural Coalition's efforts to address concerns about the impact of the National Heritage Area on property owners. In the year since those initial hearings, your Committee has heard from many of the same concerned individuals and organizations that little has changed regarding the lack of collaboration with the surrounding communities, and there is a growing frustration that their voices are not being heard or their concerns addressed.

Your Committee notes that much of the testimony on this measure is in opposition to the Hawaii Capital National Heritage Area and more specifically, the inclusion in it of these owners' commercial and/or residential properties. Your Committee believes that such an important undertaking must have strong "buy-in" from those affected by the decision or the designation of a National Heritage Area will not reap the maximum benefits for the State.

Your Committee has amended this measure by:

- (1) Changing the date the status report is due from twenty days prior to the Regular Session of 2011 to July 1, 2010;
- (2) Adding to the status report:
 - (A) The feasibility and desirability of reducing the area of the proposed National Heritage Area from its present size to the area immediately surrounding the State Capitol or the Capitol District: the area bounded by Richards Street and Queen Emma Street to the west, Vineyard Boulevard



to the north, Ward Avenue to the east, and Nimitz Highway to the south; and

- (B) The desirability of including mandatory notification and opt in/opt out provisions in the federal legislation in order to safeguard the rights of private property owners within the National Heritage Area;
- (3) Adding Hawaii's congressional delegation; state and county legislators representing Kaka'ako, Downtown, Chinatown, Nu'uano, Makiki-Tantalus, Kapalama, and Liliha; the Chairs of the Oahu Neighborhood Boards No. 10 (Makiki-Tantalus), No. 12 (Nu'uano-Punchbowl), No. 13 (Downtown), No. 14 (Liliha-Alewa); the Chairs of the Tantalus Community Association, Papakolea Community Association, Kewalo Hawaiian Homestead Association, and Kalawahine Streamside Community Association; and the President of The Woodlands at Nu'uano to the list of those receiving a copy of the measure; and
- (4) Making technical amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Economic Development and Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 138, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 138, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Development and Technology,


CAROL FUKUNAGA, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Economic Development and Technology
EDT

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| Bill / Resolution No.:* SCR 138 | Committee Referral: EDT | Date: 4-7-2010 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 </div> | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| FUKUNAGA, Carol (C) | ✓ | | | |
| BAKER, Rosalyn H. (VC) | ✓ | | | |
| HEE, Clayton | | | | ✓ |
| IGE, David Y. | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 4 | — | — | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
| <div style="display: flex; justify-content: space-between; font-size: small;"> Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div> | | | | |

*Only one measure per Record of Votes