

STAND. COM. REP. NO.

1536

Honolulu, Hawaii

APR 12 2013

RE: S.C.R. No. 102
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred
S.C.R. No. 102 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO
CONDUCT AN AUDIT OF THE KAPIOLANI PARK TRUST TO EVALUATE ITS
GOVERNANCE STRUCTURE AND IDENTIFY THE PERMISSIBLE USES OF THE
PARK LANDS, INCLUDING DELINEATING ANY LIMITATIONS ON
COMMERCIAL OR OTHER INCONSISTENT USES THAT MAY FALL OUTSIDE
THE SCOPE OF THE TRUST'S PURPOSE OR MAY CONSTITUTE WASTE OF
THE TRUST PROPERTY,"

begs leave to report as follows:

The purpose and intent of this measure is to request the
Auditor to conduct an audit of the Kapiolani Park Trust to
evaluate its governance structure and to identify the permissible
uses of the park lands, including delineating any limitations on
commercial or other inconsistent uses that may fall outside the
scope of the trust's purpose or may constitute waste of the trust
property.

Your Committee received written comments in support of this
measure from two individuals. The City and County of Honolulu
submitted written comments in opposition to the measure.

Your Committee finds that, in 1896, Kapiolani Park was
established as a public charitable trust to be maintained as a
free public park and recreation ground for the general public.
The State has a significant interest in ensuring that the
Kapiolani Park Trust is executed in a manner that is consistent

SCR102 SD1 SSCR LRB 13-2700.doc



with the trust's purpose. Your Committee believes that the Auditor's report requested by this measure will better enable the general public, as sole beneficiary of the Kapiolani Park Trust, and the members of the Honolulu City Council, as trustees, to identify acceptable uses of Kapiolani Park and to maintain transparency and accountability.

Your Committee has amended this measure by deleting the eleventh, twelfth, and thirteenth WHEREAS clauses.

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 concurs with the intent and purpose of S.C.R. No. 102, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 102, S.D. 1.

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



DAVID Y. IGE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SCR 102	Committee Referral: WTL/JDL, WAM	Date: 4/11/13		
<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	/			
KAHELE, Gilbert	/			
KEITH-AGARAN, Gilbert S.C.	/			
KOUCHI, Ronald D.	/			
RUDERMAN, Russell E.	/			
THIELEN, Laura H.	/			
TOKUDA, Jill N.				/
SLOM, Sam	/			
	10	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Will Espero</i></div>				
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***Only one measure per Record of Votes**