

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 897
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B.
No. 897, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE KAHO'OLAWA ISLAND RESERVE
COMMISSION,"

begs leave to report as follows:

The purpose and intent of this measure is to support the
rehabilitation and environmental restoration of the Kaho'olawe
Island Reserve.

Specifically, the measure:

- (1) Authorizes the use of the Kaho'olawe Island Reserve for
limited commercial activities, as permitted by the
Kaho'olawe Island Reserve Commission; and
- (2) Appropriates \$6,000,000 for the management, restoration,
and preservation of the Kaho'olawe Island Reserve.

Your Committee received written comments in support of this
measure from the Mayor of the County of Maui, the Department of
Planning of the County of Maui, the Kaho'olawe Island Reserve
Commission, and eighteen individuals. Your Committee received
written comments in opposition to this measure from the Protect
Kaho'olawe 'Ohana, the Center for Hawaiian Sovereignty Studies, and
three individuals. Two individuals provided written comments on
the measure.



Your Committee finds that the Kaho'olawe Island Reserve Commission is primarily funded by the Kaho'olawe rehabilitation trust fund that was created during the federal cleanup of unexploded ordnance on Kaho'olawe. Your Committee further finds that a 2013 report by the Office of the Auditor found that the Kaho'olawe rehabilitation trust fund will be depleted by 2016. Your Committee believes that this measure will provide necessary funding to enable the Kaho'olawe Island Reserve Commission to continue its management of the Kaho'olawe Island Reserve beyond the 2015-2016 fiscal year.

Your Committee has amended this measure by:

- (1) Replacing the language that repeals the strict prohibition on the use of the Island Reserve for commercial activity, by allowing limited commercial activities as permitted by the Commission, with language that instead authorizes the use of the Island Reserve for limited revenue-generating activities, as permitted by the Commission, to support the rehabilitation and environmental restoration of the Island Reserve;
- (2) Requiring the Kaho'olawe Island Reserve Commission to submit a financial self-sufficiency and sustainability plan to the Legislature prior to the Regular Session of 2016;
- (3) Making conforming amendments to the purpose section to reflect amendments made to the substantive provisions of the measure;
- (4) Changing the appropriation from \$6,000,000 to an unspecified amount; and
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

Your Committee intends that the Commission consider engaging in limited revenue-generating activities at its Kihei properties as well as within the Kaho'olawe Island Reserve.

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 S.B. No. 897, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 897, S.D. 2.

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



JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB897 SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HWN, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/26/15</div>		
<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; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam				✓
TOTAL	8	0	0	3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">Jill N. Tokuda</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes