

STAND. COM. REP. NO.

1092

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 81
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 81, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NATURAL RESOURCE MANAGEMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to clarify that the Board of Land and Natural Resources' authority shall supersede the Mauna Kea Stewardship and Oversight Authority for all Mauna Kea lands designated under the state conservation district.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and three individuals. Your Committees received testimony in opposition to this measure from the Mauna Kea Stewardship and Oversight Authority and three individuals.

Your Committees find that Act 255, Session Laws of Hawaii 2022 (Act 255), established the Mauna Kea Stewardship and Oversight Authority (MKSOA) and placed it within the Department of Land and Natural Resources for administrative purposes. The intent of Act 255 was to transfer management authority over Mauna Kea lands from the University of Hawaii to the MKSOA over a five-year transition period, during which the MKSOA and the University of Hawaii will jointly manage Mauna Kea lands, provided that the MKSOA's day-to-day operations shall be carried out by the Center for Mauna Kea Stewardship for the transition period. Following



the end of the transition period, or sooner, the Department of Land and Natural Resources shall then be subject to the oversight of the MKSOA regarding the control and management of Mauna Kea lands. Act 255 is ambiguous as to which agency has jurisdiction over conservation district lands. Therefore, this measure clarifies this ambiguity.

Your Committees have amended this measure by:

- (1) Specifying that the Chairperson of the University of Hawaii Board of Regents, with approval of the Board of Regents subject to quorum and majority requirements, may designate a member of the Board of Regents or past member of the Board of Regents with experience with Mauna Kea, to serve as the Chairperson of the University of Hawaii Board of Regents' Designee on the MKSOA; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 81, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 81, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,



DONOVAN M. DELA CRUZ, Chair


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

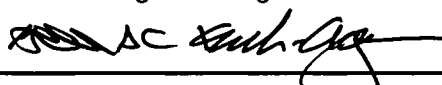
Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 81 SD1	Committee Referral: WFL, JDC/WAM	Date: 3/3/23		
<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 checked="" 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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	4	—	1	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

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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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt				X
TOTAL	12			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
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