STAND. COM. REP. NO.

Honolulu, Hawaii

Fely 6, 2006

H.B. No. 2112 RE: H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and Legislative Management, to which was referred H.B. No. 2112 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LANDS,"

beg leave to report as follows:

The purpose of this measure is to subject any disposition of public lands by the Board of Land and Natural Resources, Hawaii Community Development Authority, or High Technology Development Corporation in fee simple, lease with option to purchase, or grant of easement in perpetuity to disapproval by the Legislature by a two-thirds vote of either the Senate or the House of Representative or by a majority of both.

In the public hearing notice of the meeting of the Committees, it was duly noted that a draft proposal of this measure was to be considered during the hearing and that the draft proposal was available for review by members of the Committees and the public. The draft measure provided for the prior approval by the Legislature of any dispositions in fee simple, lease with option to purchase, or easement in perpetuity by the Board of Land and Natural Resources, Hawaii Community Development Authority, or the High Technology Development Corporation.

The Board of Land and Natural Resources, Hawaii Community Development Authority, and Hawaiian Electric Company, Inc., testified in opposition to this measure. The High Technology

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Development Corporation testified that it did not have the authority to dispose of public lands. Testimony in favor of this measure was received from the Office of Hawaiian Affairs, Sierra Club, and numerous individuals.

Your Committees amended this measure to provide that:

- (1) Any disposition by the Board of Land and Natural Resources or Hawaii Community Development Authority in fee simple, lease with option to purchase, or easement in perpetuity required the prior approval of the Legislature; and
- (2) The grant of any remnants or grants to any state or county department or agency for roadway or infrastructure improvements are not subject to the prior approval of the Legislature.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Legislative Management that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2112, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2112, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Water, Land, & Ocean Resources and Legislative Management,

MICHAEL Y NAGAOAY Chair

EZNA R. KANOHO, Chair



## State of Hawaii House of Representatives The Twenty-third Legislature

## Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.:	Date:	1/24/	$\Im G$			
Committee Referral:  The committee is reconsidering its						
Committee Referral:  WLO/LMG, JUD, FIN  The committee is reconsidering its previous decision on the measure.						
The recommendation is to:  Pass, unamended						
☐ Hold ☐ Recommit						
WLO Members	Ayes	Ayes (WR)	Nays	Excused		
1. KANOHO, Ezra R. (C)						
2. SCHATZ, Brian (VC)	V/					
3. BERG, Lyla B., Ph.D.	<b>V</b>	19				
4. CARROLL, Mele		870		<b>/</b>		
5. EVANS, Cindy		<b>V</b>				
6. HARBIN, Bev		<b>V</b>				
7. MORITA, Hermina M.						
8. WATERS, Tommy						
9. MEYER, Colleen Rose						
10. THIELEN, Cynthia						
TOTAL	5	2,		2		
The recommendation is:  Adopted  Not Adopted  If joint referral,  C  Vice Chair's or designee's signature:	ommittee acronym(	did not suppo	rt recommendation	n.		
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office						

## State of Hawaii House of Representatives The Twenty-third Legislature

## Record of Votes of the Committee on Legislative Management

Bill/Resolution No.:  HB 2112 HD 1	Date: Jan. 27, 2006						
Committee Referral:	☐ The committee is reconsidering its previous decision on the measure.						
WLO/LMG, JUD, FIN							
The recommendation is to:	Pass, with amendments						
☐ Hold	☐ Red	commit					
LMG Members	Ayes	Ayes (WR)	Nays	Excused			
1. MAGAOAY, Michael Y. (C)							
2. YAMANE, Ryan I. (VC)							
3. OSHIRO, Blake K.	V						
4. TAKAI, K. Mark							
5. HALFORD, Chris							
	2			2			
TOTAL	3						
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)  Vice Chair's or designee's signature:  Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office							
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