STAND. COM. REP. NO. 1003 -06

Honolulu, Hawaii

March 17, 2006

RE: S.B. No. 2476

S.D. 2 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 S.B. No. 2476, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE,"

beg leave to report as follows:

The purpose of this bill is to assert greater legislative oversight on the disposition of state lands by requiring a legislative concurrent resolution approving land dispositions by the Agribusiness Development Corporation (ADC), Hawaii Community Development Authority (HCDA), High Technology Development Corporation (HTDC), University of Hawaii (UH), and Housing and Community Development Corporation of Hawaii (HCDCH).

Save Our Kaka`ako Makai, Life of the Land, Surfrider Foundation Oahu Chapter, and numerous concerned individuals testified in support of this bill. The Save Our Kaka`ako Coalition and Friend's Of Kewalo Basin Park Association supported the measure with amendments. The Office of Hawaiian Affairs and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supported the intent of this bill. The University of Hawaii System, UH-West Oahu, HCDCH, HCDA, and General Growth Properties, Inc. opposed, in whole or in part, this measure. HTCD, ADC, Affordable Housing and Homeless Alliance, and The PacificResource Partnership submitted comments.

SB2476 HD1 HSCR LRB 06-3005.doc

After careful consideration of the ramifications of this matter, your Committees have amended this bill by:

- (1) Only subjecting HCDA's land dispositions to legislative oversight and deleting ADC, HTDC, UH, and HCDCH from the scope of this measure;
- (2) Amending and restating the exceptions to the legislative land disposition oversight to read:
 - (A) Dispositions of land to any government agency;
 - (B) Road improvements;
 - (C) Remnant parcels as defined in section 171-52(a);
 - (D) The reserved housing program;
 - (E) Grants of easement; and
 - (F) Temporary month-to-month permits; and
- (3) Expressly prohibiting residential project on state lands in Kakaako Makai.

Your Committees have further amended this measure by adding a section to make changes to section 171-99, Hawaii Revised Statutes, relating to beneficiaries of nine hundred and ninetynine year homestead leases, certificates of occupations, right of purchase leases, and cash freehold agreements by:

- (1) Providing a priority of successors to the interest of a deceased beneficiary who dies intestate; and
- (2) Permitting a beneficiary who had an interest canceled, terminated, or forfeited due to outstanding arrearages to apply to the Board of Land and Natural Resources to have the interest reinstated upon payment of the arrearages.

Technical, nonsubstantive amendments were also made for consistency, style, and clarity.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Legislative

SB2476 HD1 HSCR LRB 06-3005.doc

Management that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2476, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2476, S.D. 2, 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. MAGAOAY, Chair EZRIR. KANOHO, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

HSCR 1003-06

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

SB 2476 SD 2 Date: 3/16/06							
SB 2476 SD 2 Committee Referral: WLO/LM6,JUD,FIN The committee is reconsidering its previous decision on the measure.							
The recommendation is to:	☐ Pass, unamended						
	☐ Hold	□ Re	commit				
WLO Members		Ayes	Ayes (WR)	Nays	Excused		
1. KANOHO, Ezra R. (C)		1/					
2. SCHATZ, Brian (VC)							
3. BERG, Lyla B., Ph.D.							
4. CARROLL, Mele							
5. EVANS, Cindy		V					
6. HARBIN, Bev		· · V / · · ·					
7. MORITA, Hermina M.8. WATERS, Tommy							
9. MEYER, Colleen Rose		./					
10. THIELEN, Cynthia			./				
TOTAL		フ	2				
The recommendation is: Adopted Not 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							

Record of Votes of the Committee on Legislative Management

Bill/Resolution No.: SB 2476 SD 2	Date:	Date: 3/16/2006					
Committee Referral: WLO/LMG, JUD, FIN	☐ The com previou	☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, unamended	-	Pass, with amendments					
□ Hold	□ Re	ecommit					
LMG Members	Ayes	Ayes (WR)	Nays	Excused			
1. MAGAOAY, Michael Y. (C)							
2. YAMANE, Ryan I. (VC)							
3. OSHIRO, Blake K.	<u> </u>						
4. TAKAI, K. Mark							
5. HALFORD, Chris							
	A CONTRACTOR OF THE PARTY OF TH						
				·			
TOTAL	3			2			
The recommendation is: Adopted							
□ Not Adopted							
If joint referral, did not support recommendation.							
Vice Chair's or designee's signature.							
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office							