STAND. COM. REP. NO. **959** -06

Honolulu, Hawaii

March 15, 2006

RE:

S.B. No. 3084

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 Committee on Water, Land, & Ocean Resources, to which was referred S.B. No. 3084, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY,"

begs leave to report as follows:

The purpose of this bill is to facilitate the appraisal required to acquire Lands Having Value as a Resource to the State (Resource Value Lands) by allowing the Attorney General (AG):

- (1) To review, approve, and accept an existing appraisal if:
 - (A) The appraisal was completed within six months before the Board of Land and Natural Resources approves the acquisition of the Resource Value Land; and
 - (B) The AG finds that the appraisal was performed in accordance with accepted professional standards;

or

(2) To contract for independent appraisals from no more than three disinterested appraisers; and

(3) In the case of the purchase of any lands by the State, after consultation with the Department of Land and Natural Resources (DLNR) or another independent appraiser, determine than the purchase of the land at a price higher that the appraisal may be justified.

The Nature Conservancy of Hawaii supported this bill with amendments. DLNR and The Trust for Public Lands commented on this measure.

Your Committee has amended this bill by:

- (1) Placing the provisions of this bill into Chapter 173A, Hawaii Revised Statutes, relating to Resource Value Lands, since the provisions are intended to apply to Resource Value Lands;
- (2) Increasing to one year the period of time that an existing appraisal will remain effective for(3) Replacing to one year the period of time that an consideration by the State;
- (3) Replacing the role of the AG under this bill with the State; and
- (4) Making technical, nonsubstantive amendments for clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3084, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3084, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Water, Land, & Ocean Resources,

EZRA R. KANOHO, Chair

SB3084 HD1 HSCR WLO HMS 2006-2681

HSCR 959-0

State of Hawaii House of Representatives The Twenty-third Legislature

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

Committee Referral:			/ . //			
SB 3084 SD2 Committee Referral: WLO, JUD, FIN		☐ The cor	3/13/06 ☐ The committee is reconsidering its			
The recommendation is to: Pass, unamended		previous decision on the measure.				
	☐ Hold		Pass, with amendments			
		Pass, with amendments, for recommittal for further consideration				
WLO Members		Ayes	Ayes (WR)	Nays	Excused	
1. KANOHO, Ezra R. (•	Dacuscu	
2. SCHATZ, Brian (VC)					
3. BERG, Lyla B., Ph.D.						
4. CARROLL, Mele						
5. EVANS, Cindy						
6. HARBIN, Bev						
7. MORITA, Hermina M 8. WATERS Tommy	1.				- mm(
TILLIEU, TUIIIIII						
Concen Rose	e					
10. THIELEN, Cynthia					4	
TOTAL	nn z	*	1	7	32	
he recommendation is:	Adopted				_ KN/C	
	☐ Not Adopted					
	If joint referral,		did not support r	ecommendation		
	anse	ttee acronym(s)		OndatiOii.		
ce Chair's or designee's signat	ture:					
stribution: Original (White	e) – Committee Dup	ilicate (Yellow) –	Clerk's Office			