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Honolulu, Hawaii

Feb 4 , 2011

RE: H.B. No. 397

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and Hawaiian Affairs, to which was referred H.B. No. 397 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 help preserve the public lands of the State. Specifically, this measure requires that:

- (1) The concurrent resolution to exchange, sell, or gift public land contain, among other things:
 - (A) The specific location and size in square feet or in other precise measure of the parcel of land to be sold or given;
 - (B) The specific purpose for which the land is being sold or given; and
 - (C) A statement of whether the land is, or is not, land that was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands, and a detailed explanation of how the state department or agency made this determination:

and

(2) A copy of the concurrent resolution be submitted to the Office of Hawaiian Affairs (OHA) six months prior to the convening of a regular or special session of the Legislature to allow OHA to determine whether the land was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands.

OHA and the Association of Hawaiian Civic Clubs supported this bill.

After careful consideration, your Committees have amended this bill by requiring that the copy of the concurrent resolution submitted to OHA be submitted at least three months prior to the convening of a regular or special session of the Legislature.

Your Committees note that this bill would affect not only OHA but also the Department of Agriculture, University of Hawaii, Agribusiness Development Corporation, and High Technology Development Corporation as holders of title to public lands.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 397, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 397, 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 Hawaiian Affairs,

FAYE **JAY**OHANO, Chair

ERRY L. CHANG, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

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

Bill/Resolution No.: HB 397 Committee Referral: WLO/HAW, JUD, FIN 731/11							
☐ The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)							
WLO Members	Ayes	Ayes (WR)	Nays	Excused			
1. CHANG, Jerry L. (C)	/						
2. HAR, Sharon E. (VC)	\		nider in the second of the sec				
3. CABANILLA, Rida T.R.		\					
4. CARROLL, Mele				V			
5. CHONG, Pono							
6. COFFMAN, Denny				V			
7. HERKES, Robert N.							
8. ITO, Ken	V						
9. MORITA, Hermina M.	V						
10. NAKASHIMA, Mark M.	V						
11. RIVIERE, Gil	\checkmark						
12. THIELEN, Cynthia	V						
TOTAL (12)	(0			2			
The recommendation is: Adopted If joint referral committee acronym(s) Not Adopted did not support recommendation.							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:		Date:					
HB 397	WLD/HAW, JUD, FIN		1/31/11					
☐ The committee is reconsidering its previous decision on the measure.								
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)								
HAW Members	Ayes	Ayes (WI	R) Nays	Excused				
1. HANOHANO, Faye P. (C)								
			1 1 14 Mar 1					
2. LEE, Chris (VC)	V							
3. BELATTI, Della Au								
J. DELATTI, Della Au								
4. JORDAN, Jo								
5. MIZUNO, John M.								
			<u></u> ,					
6. MORIKAWA, Dee	V							
7 WOOLEY Logica								
7. WOOLEY, Jessica								
8. YAMANE, Ryan I.								
7 2	924							
9. PINE, Kymberly Marcos								
10. WARD, Gene	V							
								
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	-							
TOTAL (10)	É			2				
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) – Chief Clerk's Office Duplicate (Pink) – HMSO								