STAND. COM. REP. NO. 588

Honolulu, Hawaii

Feb 18 , 2011

RE: H.B. No. 397 H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 397, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to assist in the review of legislative resolutions regarding proposed exchanges, sales, or gifts of state land for consideration by the legislature by requiring:

- (1) Specificity in all concurrent resolutions of proposed exchanges, sales, or gifts of state land, including whether the land was classed as government or crown lands prior to August 15, 1895; and
- (2) That a copy of the concurrent resolution be submitted to the Office of Hawaiian Affairs (OHA) at least three months prior to the appropriate legislative session.

OHA; Oahu Council, Association of Hawaiian Civic Clubs; Koolaupoko Hawaiian Civic Club; Aha Kiole Advisory Committee; and several concerned individuals supported this bill. The Association of Hawaiian Civic Clubs opposed this measure. The Department of Land and Natural Resources and Hawaii Housing Finance and Development Corporation provided comments.



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Your Committee has amended this bill by:

- Removing the requirement for specificity in the purpose (1) for which lands are being exchanged, sold, or given in resolutions and concurrent resolutions submitted to the Legislature;
- Allowing the designated state agency to submit a draft (2) copy of the resolution or concurrent resolution to OHA; and
- (3) Changing its effective date to January 7, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 397, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 397, H.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

GILBERT KEITH-AGARAN



HECR 588

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

	Committee Referral: WLO/HAW, JUD, FIN 2117/11			
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)				
2. RHOADS, Karl (VC)				
3. BROWER, Tom				
4. CABANILLA, Rida T.R.			· · · · · · · · · · · · · · · · · · ·	
5. CARROLL, Mele			·····	
6. HERKES, Robert N.				
7. ITO, Ken				
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				
10. MORITA, Hermina M.				<u> </u>
11. OSHIRO, Blake K.				<u> </u>
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. FONTAINE, George R.				
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
				-
TOTAL (16)	8	3	0	5
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:Kallbook				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				