

STAND. COM. REP. NO.

2315

Honolulu, Hawaii

FEB 17 2012

RE: S.B. No. 2207

S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Judiciary and Labor, to which was referred S.B. No. 2207 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to ensure fair compensation is provided when public land leased for agricultural or pastoral uses is withdrawn, condemned, or taken for public purposes.

Your Committees received testimony in support of this measure from the Hawaii Cattlemen's Council, Hawaii Farm Bureau Federation, Hawaii Aquaculture & Aquaponics Association, Hawaii Cattlemen's Association, and eight individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committees find that this measure arises from actions taken by the Board of Land and Natural Resources in November 2008 to deprive beef cattle ranchers of portions of their leases of public lands. Previously, several of these ranchers had lost significant portions of their leases by the Board's actions. These ranchers received no compensation for takings of their lease other than a reduced lease. Infrastructure loss and a need to reduce their herd size resulted in detrimental losses, particularly to smaller ranchers. Your Committees find that rent reduction is insufficient compensation, and that this Act is necessary to provide more equitable relief to lessees of public



lands from partial takings or condemnations where the lessee is prevented from using the lands as originally intended.

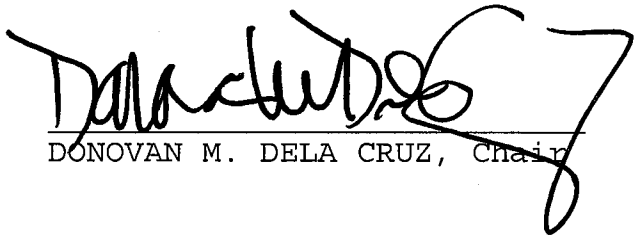
Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2207, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2207, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Water, Land, and  
Housing and Judiciary and  
Labor,



CLAYTON HEE, Chair




DONOVAN M. DELA CRUZ, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Water, Land and Housing**  
**WLH**

Bill / Resolution No.:*	Committee Referral:	Date:
SB2207	WLH/JDL, WAM	2-16-12
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313
Members	Aye	Aye (WR)
	Nay	Excused
DELA CRUZ, Donovan M. (C)	✓	
SOLOMON, Malama (VC)	✓	
FUKUNAGA, Carol	✓	
RYAN, Pohai	✓	
SHIMABUKURO, Maile		✓
TOKUDA, Jill N.	✓	
SLOM, Sam	✓	
<b>TOTAL</b>	6	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
Distribution:      Original      Yellow      Pink      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy		

\*Only one measure per Record of Votes

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2207	WLH / JDL, WAM	2/16/12
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div> <input type="checkbox"/> Pass, unamended 2312         </div> <div> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div> <input type="checkbox"/> Hold 2310         </div> <div> <input type="checkbox"/> Recommit 2313         </div> </div>		
Members	Aye	Aye (WR)
HEE, Clayton (C)	✓	
SHIMABUKURO, Maile (VC)	✓	
GABBARD, Mike	✓	
IHARA, Jr., Les	.	✓
SLOM, Sam		
<b>TOTAL</b>	3	1
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"> <div> <input checked="" type="checkbox"/> Adopted         </div> <div> <input type="checkbox"/> Not Adopted         </div> </div>		
Chair's or Designee's Signature:		
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; font-size: small;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>		

\*Only one measure per Record of Votes