STAND. COM. REP. NO.

Honolulu, Hawaii March (, 2013

RE: H.B. No. 1268 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1268 entitled:

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

begs leave to report as follows:

The purpose of this measure is to expand the list of potential assignees of 999-year homestead leases by authorizing the transfer or assignment of the leases to trustees of a land trust established to manage and hold the homestead leasehold estate.

The Department of Land and Natural Resources, Office of Hawaiian Affairs, and two concerned individuals supported this measure. A concerned individual opposed this measure.

Your Committee finds that this measure may not fully address the complex issues that can arise among family members regarding 999-year homestead leases. As this measure moves forward in the legislative process, your Committee respectfully recommends that a more thorough and comprehensive solution be examined. Your Committee also respectfully requests that consideration be given to limiting eligible trustees to third-party individuals and prohibiting lessees from being designated as trustees.



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Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2100, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity and consistency.

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. 1268, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1268, H.D. 1.

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

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB1268	Committee R		Date:	-	
The committee is reconsidering its previous decision on the measure.					
The recommendation is to:					
Pass short form bill with HD to recommit for future public hearing (recommit)					
JUD Members		Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)		<u>}</u>			
2. HAR, Sharon E. (VC)			<u> </u>		
3. BELATTI, Della Au		<u>X</u>	/		
4. BROWER, Tom		<u>×</u>			
5. CABANILLA, Rida T.R.				<u> </u>	
6. CARROLL, Mele	<u> </u>			/	X
7. ITO, Ken					
8. KAWAKAMI, Derek S.K.			X		
9. LEE, Chris		X		`	
10. TSUJI, Clift			<u>X</u>		
11. WOOLEY, Jessica		<u> </u>			
12. MCDERMOTT, Bob		•	<u>X</u>		
13. THIELEN, Cynthia		<u> X </u>	-		
		1			
		-			
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TOTAL (13)		C	5	1	1
The recommendation is: Adopted IV joint referral, Committee acrygym(s) did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					