STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 1 5 2013

RE: S.C.R. No. 21

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred S.C.R. No. 21 entitled:

"SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE AND SALE OF PROPERTY, "

begs leave to report as follows:

The purpose and intent of this measure is to seek the approval of the Legislature by concurrent resolution of a Board of Land and Natural Resources action approving a land exchange and sale of property involving five parcels situated at Kahananui, Molokai.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Office of Hawaiian Affairs.

The proposed land exchange and sale stem from a quiet title and partition action filed in 1992 involving five parcels of land on Molokai. The State was named as a defendant in the action. Stipulated judgments were reached in 1996 and 1997 to resolve the title and partition claims. Pursuant to the stipulated judgments, two of the parcels are to be conveyed to the State, one parcel is to be conveyed to the four families involved in the litigation, and two parcels are to be sold, with the proceeds split 39.89 percent to the State, and 60.11 percent to the remaining parties.



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Based on a 1996 appraisal, the combined value the State is to receive under this arrangement is more than the one-half interest that the State has in all the parcels. These values comply with section 171-50, Hawaii Revised Statutes. The Board of Land and Natural Resources approved the exchange and sale at its meeting of June 8, 2012, under agenda item D-11.

In regard to the parcels that the State is acquiring under this stipulated judgment, specifically the parcels with tax map keys: (2) 5-6-06:14 and (2) 5-6-03:12, your Committee wishes to emphasize its intention is to have those parcels retain their public land trust status pursuant to section 5(f) of the Hawai'i Admission Act.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 21 and recommends that it be referred to the Committee on Ways and Means.

> Respectfully submitted on behalf of the members of the Committee on Water and Land,

MALAMA SOLOMON



The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Water and Land WTL

Bill / Resolution No.:*	Committee Referral: Date:				
SCR 21 WTL, WAM 3/12/13					
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
SOLOMON, Malama (C)					
SHIMABUKURO, Maile S.L. (VC)					
DELA CRUZ, Donovan M.					
IHARA, Jr., Les					
RUDERMAN, Russell E.					
THIELEN, Laura H.	<u></u>	\checkmark			
SLOM, Sam					
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TOTAL		6			1
Recommendation:					
Chair's or Designee's Signature:					
Distribution: Original File with Committee Re	Yellow Report Clerk's Office		Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes