

Honolulu, Hawaii

MAR 23 2016

RE: H.B. No. 2617
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Water, Land, and Agriculture, to which was referred H.B. No. 2617, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the counties to petition the Land Use Commission for regional district boundary amendments needed after adopting updates to their respective general plans; and
- (2) Require the Land Use Commission, rather than the Office of Planning, to conduct five-year boundary amendment reviews.

Your Committees received testimony in support of this measure from the Office of Planning, State Land Use Commission, Department of Planning of the County of Kauai, Department of Planning of the County of Maui, County Council of the County of Maui, Business Industry Association Hawaii, Hawaii Association of REALTORS, Land Use Research Foundation of Hawaii, Chamber of Commerce Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu, Conservation Council for Hawaii, Hawaii's Thousand Friends, and nine individuals. Your Committees



received comments on this measure from the Office of Hawaiian Affairs.

Your Committees find that the Land Use Commission was established to ensure proper conservation, control, and development of Hawaii's land resources. To accomplish that mission, the Land Use Commission operates within a framework of statutes and regulations. This framework is periodically reviewed and refined to clarify and streamline the Land Use Commission's procedures and allow the Commission to more efficiently and effectively manage use of the State's lands. Your Committees further find that existing law unduly limits the possible remedies to violations of conditions of use imposed by the Commission.

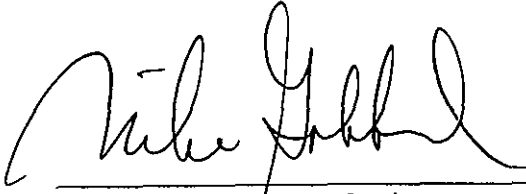
Your Committees have amended this measure by:

- (1) Removing language requiring the Land Use Commission to conduct five-year boundary amendment reviews;
- (2) Providing flexibility to the Land Use Commission in addressing violations of representations made to the Commission or conditions imposed by the Commission in its decisions and orders, regardless of whether there has been substantial commencement of use of the land;
- (3) Updating section 1 to reflects its amended purpose; and
- (4) Making the measure effective upon its approval.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Water, Land, and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2617, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2617, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Water, Land, and
Agriculture,



MIKE GABBARD, Chair



CLARENCE K. NISHIHARA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

Bill / Resolution No.:* HB 2617, HD1	Committee Referral: PSM/WLA, WAM	Date: 3/18/16		
<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-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	/			
ESPERO, Will (VC)	/			
BAKER, Rosalyn H.				/
INOUE, Lorraine R.				/
SLOM, Sam			/	
TOTAL	2		1	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: Will Espero				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

***Only one measure per Record of Votes**

The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, and Agriculture
WLA

Bill / Resolution No.:* <i>HB2617, HD1</i>	Committee Referral: <i>PSM/WLA, WAm</i>	Date: <i>3/18/16</i>		
<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-between; 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)	Nay	Excused
GABBARD, Mike (C)	/			
NISHIHARA, Clarence K. (VC)	/			
DELA CRUZ, Donovan M.				/
RIVIERE, Gil	/			
RUDERMAN, Russell E.				/
SHIMABUKURO, Maile S.L.	/			
THIELEN, Laura H.	/			
WAKAI, Glenn				/
SLOM, Sam			/	/
TOTAL	<i>5</i>		<i>1</i>	<i>3</i>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"><i>Clarence K. Nishihara</i></div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

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