

STAND. COM. REP. NO.

460

Honolulu, Hawaii

February 20, 2015

RE: H.B. No. 515
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 515, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REMNANTS,"

begs leave to report as follows:

The purpose of this measure is to ensure that the disposition of remnants of public land complies with the State's constitutional mandate under the public land trust by:

- (1) Clarifying the definition of the term "remnant" for purposes relating to the disposition of public lands; and
- (2) Placing conditions on the alienation of remnants that would violate the State's public land trust obligation or when such remnants contain resources necessary for the exercise of native Hawaiian subsistence, cultural, or religious practices.

The Office of Hawaiian Affairs submitted testimony in support of this measure. The Department of Land and Natural Resources provided comments in opposition to this measure.



Your Committee has amended this measure by:

- (1) Deleting the requirement for an attorney general's determination of whether the parcel poses a significant and unavoidable risk of liability; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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. 515, 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. 515, H.D. 2.

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



KARL RHOADS, Chair



45CR 460

Bill/Resolution No.:	Committee Referral:	Date:		
HB 515, HDI	NAL, JUD, FIN	2/17/15		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. SAN BUENAVENTURA, Joy A. (VC)	X			
3. BELATTI, Della Au				X
4. BROWER, Tom	X			
5. CREAGAN, Richard P.	X			
6. HASHEM, Mark J.	X			
7. KAWAKAMI, Derek S.K.				X
8. LEE, Chris	X			
9. MORIKAWA, Dee	X			
10. NAKASHIMA, Mark M.	X			
11. TAKAYAMA, Gregg	X			
12. WOODSON, Justin H.	X			
13. MCDERMOTT, Bob	X			
14. THIELEN, Cynthia	X			
TOTAL (14)	12	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				