

STAND. COM. REP. NO. 3323

Honolulu, Hawaii

MAR 22 2024

RE: H.B. No. 2579
H.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.B. No. 2579, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HILO COMMUNITY ECONOMIC DISTRICT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that the Board of Land and Natural Resources shall not unilaterally amend the terms and conditions of any lease of public lands being extended pursuant to Act 149, Session Laws of Hawaii 2018, except as otherwise provided therein;
- (2) Clarify that if the Board of Land and Natural Resources wishes to amend the terms of and conditions of any lease of public lands being extended to reflect the Board's most current lease form and leasing practices and policies, the lease form and leasing practices and policies must be included in the rules of the Board; and
- (3) Define "lease of public lands".

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, the Japanese Chamber



of Commerce and Industry of Hawaii, Kanoelehua Industrial Area Association, and one individual.

Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that Act 149, Session Laws of Hawaii 2018 (Act 149), established a ten-year pilot project to authorize the Board of Land and Natural Resources (Board) to extend leases of public lands in the Hilo Community Economic District. However, language that explicitly allows the Board to unilaterally amend any terms and conditions of the extended lease to conform to the most current lease form and leasing practices and policies of the Board is missing from Act 149. Nevertheless, the Board has been approving extensions of leases pursuant to Act 149 by amending the lease terms and conditions to conform to the Board's most current lease form and leasing practices and policies. This measure will resolve any ambiguity regarding lease extensions within the Hilo community Economic District.

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 is in accord with the intent and purpose of H.B. No. 2579, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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


LORRAINE R. INOUÉ, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:	Committee Referral:	Date:
HB 2579 HD1	WTL, JDC	3/15/24

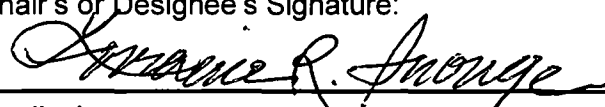
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley				✓
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt				✓
TOTAL	3			2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes