

Honolulu, Hawaii

APR 25 2024RE: S.B. No. 3236
H.D. 1
C.D. 1

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

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3236, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE LAND TRUST ACT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to clarify that if no personal property designation appears in a recorded instrument relating to the Land Trust Act, the interests of the beneficiaries shall be real property.

Your Committee on Conference finds that to fulfil its mission to fully support self-sufficiency for native Hawaiians by providing the opportunity for homestead leases and homeownership, the Department of Hawaiian Home Lands has been creating the opportunity for lower-income native Hawaiians on the Department's waiting list to access Hawaii Housing Finance and Development Corporation funding through the Low-Income Housing Tax Credit program. However, if a "renter" accessing funding this way dies before a fifteen-year



compliance period is finished and their intended successor is less than fifty percent native Hawaiian, the unit cannot be transferred to their intended successor and the intended successor receives nothing. This measure will address this problem by clarifying that the beneficiary interest under these types of land trusts are real property, rather than personal property.

Your Committee on Conference has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3236, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3236, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE



DAVID A. TARNAS
Co-Chair



SCOTT Y. NISHIMOTO
Co-Chair

ON THE PART OF THE SENATE



KARL RHOADS
Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 3236, HD 1	Date/Time: 4/19/24 1:45 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

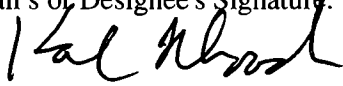

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				TARNAS, David A., Co-Chr.	✓			
ELEFANTE, Brandon J.C.	✓				NISHIMOTO, Scott Y., Co-Chr.	✓			
AWA, Brenton				✓	HOLT, Daniel	✓			
					TAKAYAMA, Gregg	✓			
					SOUZA, Kanani	✓			
TOTAL	2	0	0	1	TOTAL	5	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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