

STAND. COM. REP. NO. 2330

Honolulu, Hawaii

FEB 14 2024

RE: S.B. No. 2759
S.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 S.B. No. 2759 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the State from leasing any public lands, or extending the lease of any public lands, to any individual, corporation, or federal agency that is not in good standing with the State or that has not met all financial, contractual, and legal obligations.

Your Committee received testimony in support of this measure from the Native Hawaiian Legal Corporation, Sierra Club of Hawai'i, and Hawai'i Peace and Justice.

Your Committee received testimony in opposition to this measure from the Hawaii Military Affairs Council and Hawaii Harbors Users Group.

Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Transportation, and one individual.

Your Committee finds that most landlords require their tenants to be in good standing, especially before renewing a lease. This includes ensuring that the tenant has met all



financial, contractual, and legal obligations. Your Committee also finds that, as a landlord, the State should ensure that all of its lessees meet these obligations, whether the lessees are private individuals, corporations, or the federal government. Furthermore, the State should exercise its right to terminate a lease when a lessee engages in criminal activity on the property. This measure will ensure that lands leased by the State is in good hands by prohibiting the State from leasing land to tenants that do not fulfill their legal obligations.

Your Committee has amended this measure by:

- (1) Specifying that the lease restrictions shall also encompass certain state land excepted in section 171-72, Hawaii Revised Statutes;
- (2) Deleting language that would have reimbursed money to the State for the increased cost of consumer goods in Hawaii pursuant to title 46 United States Code sections 861-889, in an amount determined by the Office of the Governor;
- (3) Exempting leases and dispositions made by the Department of Transportation from this measure;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) 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 Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2759, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2759, S.D. 1, 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.:* SB 2759	Committee Referral: WTL, JDC	Date: 02/09/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.		✓		
FEVELLA, Kurt	✓			
TOTAL	4	1	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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