

Honolulu, Hawaii

March 17, 2006

RE: S.B. No. 2476
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and
Legislative Management, to which was referred S.B. No. 2476,
S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE
STATE,"

beg leave to report as follows:

The purpose of this bill is to assert greater legislative
oversight on the disposition of state lands by requiring a
legislative concurrent resolution approving land dispositions by
the Agribusiness Development Corporation (ADC), Hawaii Community
Development Authority (HCDA), High Technology Development
Corporation (HTDC), University of Hawaii (UH), and Housing and
Community Development Corporation of Hawaii (HCDCH).

Save Our Kaka`ako Makai, Life of the Land, Surfrider
Foundation Oahu Chapter, and numerous concerned individuals
testified in support of this bill. The Save Our Kaka`ako
Coalition and Friend's Of Kewalo Basin Park Association supported
the measure with amendments. The Office of Hawaiian Affairs and
Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO
supported the intent of this bill. The University of Hawaii
System, UH-West Oahu, HCDCH, HCDA, and General Growth Properties,
Inc. opposed, in whole or in part, this measure. HTCD, ADC,
Affordable Housing and Homeless Alliance, and The PacificResource
Partnership submitted comments.



After careful consideration of the ramifications of this matter, your Committees have amended this bill by:

- (1) Only subjecting HCDA's land dispositions to legislative oversight and deleting ADC, HTDC, UH, and HCDCH from the scope of this measure;
- (2) Amending and restating the exceptions to the legislative land disposition oversight to read:
 - (A) Dispositions of land to any government agency;
 - (B) Road improvements;
 - (C) Remnant parcels as defined in section 171-52(a);
 - (D) The reserved housing program;
 - (E) Grants of easement; and
 - (F) Temporary month-to-month permits; and
- (3) Expressly prohibiting residential project on state lands in Kakaako Makai.

Your Committees have further amended this measure by adding a section to make changes to section 171-99, Hawaii Revised Statutes, relating to beneficiaries of nine hundred and ninety-nine year homestead leases, certificates of occupations, right of purchase leases, and cash freehold agreements by:

- (1) Providing a priority of successors to the interest of a deceased beneficiary who dies intestate; and
- (2) Permitting a beneficiary who had an interest canceled, terminated, or forfeited due to outstanding arrearages to apply to the Board of Land and Natural Resources to have the interest reinstated upon payment of the arrearages.

Technical, nonsubstantive amendments were also made for consistency, style, and clarity.

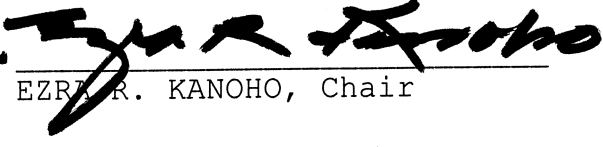
As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Legislative



Management that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2476, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2476, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Water, Land, & Ocean Resources and Legislative Management,


MICHAEL Y. MAGAOA, Chair


EZRA R. KANOHO, Chair



