

Honolulu, Hawaii
March 15, 2006

RE: S.B. No. 3077
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 Committee on Water, Land, & Ocean Resources, to which was referred S.B. No. 3077, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CONSERVATION,"

begs leave to report as follows:

The purpose of this bill is to facilitate the acquisition of Land Having Value as a Resource to the State (Resource Value Lands).

Specifically, this measure:

- (1) Establishes and assigns responsibilities to a Legacy Land Conservation Commission (Commission) to advise and make recommendations to the Department of Land and Natural Resources (DLNR) and Board of Land and Natural Resources (BLNR) in administering the Land Conservation Fund and acquiring Resource Value Lands;
- (2) Establishes criteria for prioritizing (priorities) those Resource Value Lands that should be acquired;
- (3) Incorporates the priorities into the process of developing and periodically updating the Resource Value Land Acquisition Plan (Acquisition Plan);



- (4) Provides for legislative disapproval of land acquisition; and
- (5) Requires DLNR to submit to the Legislature an annual report listing the acceptance or rejection by BLNR of the Commission's advice and recommendations.

C&H Farms and Windward Ahupua'a Alliance testified in support of this bill. DLNR and the Hawaii Agriculture Research Center opposed this measure. The Department of Agriculture, The Nature Conservancy, and The Trust for Public Land offered comments.

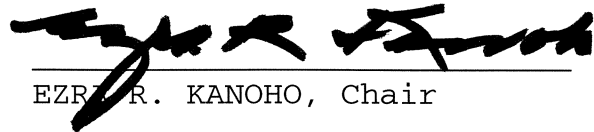
Your Committee has amended this bill by:

- (1) Deleting the Commission;
- (2) Requiring BLNR and DLNR to notify and consult with the Senate President and Speaker of the House of Representatives regarding:
 - (A) The Acquisition Plan;
 - (B) Resource Value Lands being considered for acquisition;
 - (C) Resource Value Lands being recommended for acquisition; and
 - (D) Grants provided to state agencies, counties, and nonprofit land conservation organizations for purchase or acquisition of interests or rights in Resource Value Lands;
- (3) Deleting the provision enabling the Legislature to disapprove of land acquisitions;
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3077, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3077, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,


EZRA R. KANOHO, Chair



