

STAND. COM. REP. NO. **3523**

Honolulu, Hawaii

APR - 7 2006

RE: H.B. No. 2271  
H.D. 1  
S.D. 2

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2271, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NON-AGRICULTURAL PARK LANDS,"

begs leave to report as follows:

The purpose of this measure is to provide the Board of Agriculture with the full authority to manage, develop, and dispose by lease of any public land set aside as non-agricultural park lands, notwithstanding the provisions of chapter 171, Hawaii Revised Statutes (public lands).

Specifically, this measure allows the Board of Agriculture to, among other things:

- (1) Determine the eligibility requirements of each disposition and applicant qualifications;
- (2) Determine the specific agriculture or aquaculture use for which the disposition is intended;
- (3) Set the terms of the leases that shall not be less than fifteen years nor more than sixty-five years; and
- (4) Set other terms it deems necessary, including restrictions against alienation and provisions for withdrawal by the Board.



This measure further provides institutional lenders with assurances of their security rights to make the leased lands more attractive for mortgages.

Your Committee has amended this measure by:

- (1) Clarifying that the dispositions of non-agricultural park lands shall be by lease;
- (2) Clarifying the Board of Agriculture's authority to adopt rules setting forth eligibility requirements of each disposition and applicant qualifications;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion; and
- (4) Making technical nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2271, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2271, H.D. 1, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

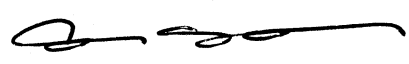


BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Third Legislature  
State of Hawaii

Record of Votes of the  
Committee on Ways and Means  
(Bills and Resolutions)

Measure:*	Committee Referral:	Date:
HB 2271 HD1 SD1	WLA, WAM	4/3/06
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is to:		
<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	Ayes	Ayes(WR)
Nays	Excused	
TANIGUCHI, Brian T. (C)	/	
TSUTSUI, Shan S. (VC)	/	
ENGLISH, J. Kalani	/	
ESPERO, Will	/	
FUKUNAGA, Carol	/	
HOOSER, Gary L.	/	
INOUYE, Lorraine R.	/	
KANNO, Brian	/	
KIM, Donna Mercado	/	
KOKUBUN, Russell S.	/	
NISHIHARA, Clarence K.	/	
SAKAMOTO, Norman	/	
HEMMINGS, Fred	/	
SLOM, Sam	/	
TRIMBLE, Gordon		/
TOTAL	14	0
	0	1
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
		Goldenrod Committee File Copy

\*Do not list more than one measure per Record of Votes.