

STAND. COM. REP. NO.

2360

Honolulu, Hawaii

, 2006

FEB 17

RE: S.B. No. 3084
S.D. 1

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

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred S.B. No. 3084 entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY,"

begs leave to report as follows:

The purpose of this measure is to amend the appraisal process for state acquisitions of real property.

Testimony in support of this measure was submitted by the Department of Land and Natural Resources (DLNR), the Hawaii Agriculture Research Center, the Hawaii Association of Realtors, the Hawaii Island Land Trust, the Maui Coastal Land Trust, the Nature Conservancy, and the Trust for Public Land.

The current law requires the State to obtain appraisals from three disinterested appraisers when the State acquires any private property. Your Committee finds that a more streamlined approach is warranted. This measure allows the State the flexibility to accept, under certain terms, existing appraisals instead of contracting for new appraisals.

Your Committee has amended this measure by:

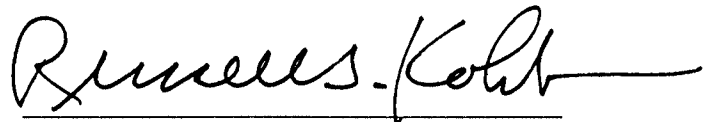
- (1) Allowing the Attorney General to review, approve, and accept existing appraisals;



- (2) Requiring that only appraisals performed within six months of the Board of Land and Natural Resources' decision to acquire the land may be considered;
- (3) Allowing the Attorney General to contract for independent appraisals;
- (4) Limiting the new provisions to acquisitions pursuant to chapter 173A; and
- (5) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3084, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3084, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Agriculture,




RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Water, Land and Agriculture
(Bills and Resolutions)

| | | | | |
|---|--|-------------------------|------|----------|
| Measure:* SB3084 | Committee Referral: WCA, WAM | Date: 2/15/06 | | |
| <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 |
| KOKUBUN, Russell S. (C) | ✓ | | | |
| HOOSER, Gary L. (VC) | ✓ | | | |
| ENGLISH, J. Kalani | ✓ | | | |
| FUKUNAGA, Carol | | | | ✓ |
| HEMMINGS, Fred | ✓ | | | |
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| TOTAL | 4 | | | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designer's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

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