

THE SENATE  
THE TWENTY-THIRD LEGISLATURE  
REGULAR SESSION OF 2006

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STATE OF HAWAII

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COMMITTEE ON WATER, LAND, AND AGRICULTURE

Senator Russell S. Kokubun, Chair  
Senator Gary L. Hooser, Vice Chair

COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Senator David Y. Ige, Chair  
Senator Donna Mercado Kim, Vice Chair

NOTICE OF HEARING

DATE: Monday, February 6, 2006  
TIME: 2:45 P.M.  
PLACE: Conference Room 212  
State Capitol  
415 South Beretania Street

A G E N D A

|         |   |              |
|---------|---|--------------|
| SB 3191 | RELATING TO EMINENT DOMAIN.<br>Prohibits use of power of eminent domain to take private property and transfer it to a private entity that had expressed interest in purchasing the same property for development purposes or other private use.   | WLA/IGA, JHW |
| SB 2986 | RELATING TO EMINENT DOMAIN.<br>Provides regulations for property taken by eminent domain.   | WLA/IGA, JHW |
| SB 2969 | RELATING TO PARKS.<br>Creates an advisory task force to develop an action plan for the transfer of jurisdiction over state parks from department of land and natural resources to the counties; requires a report of recommendations and implementing legislation be submitted to the legislature before the 2007 regular session.            | WLA/IGA, WAM |
| SB 2412 | RELATING TO STATE AND COUNTY TORT LIABILITY.<br>Repeals the sunset date of Act 190, SLH 1996, which establishes conclusive presumptions regarding the duty of public entities to warn of dangers at public beach parks. Repeals the sunset date of Act 170, SLH 2002, which provides an exception to liability for county lifeguard services. | WLA/IGA, JHW |
| SB 2017 | MAKING AN APPROPRIATION FOR STATE LIFEGUARDS.<br>Appropriates funds for salaries and benefits for lifeguards for the islands of Kauai and Maui in areas under the jurisdiction of the department of land and natural resources, subject to provision of county matching funds.  | WLA/IGA, WAM |
| SB 2759 | RELATING TO HOUSING.<br>Requires all state and county agencies to give affordable housing projects priority in land use and permit approval, except for other projects involving the health or safety of the community.   | WLA/IGA, CPH |



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| SB 3075                    | RELATING TO IMPORTANT AGRICULTURAL LAND.<br>Establishes an important agricultural land (IAL) tax credit equal to the amount of county property tax paid by taxpayers who use their IAL for commercial agricultural purposes. Reduces each county's portion of the transient accommodations tax revenue by the amount of credits claimed against each county's property tax assessments. | WLA/IGA, WAM |
| SB 3168                    | RELATING TO THE DISPOSITION OF REAL PROPERTY.<br>Allows each county to grant, sell or otherwise dispose of easements for chilled water and seawater distribution systems for renewable energy seawater air conditioning district cooling systems by negotiation without public auction.   | IGA/WLA, WAM |
| <b>WLA only</b><br>SB 3094 | RELATING TO THE LAND COURT.<br>Provides that a landowner may not file claim for accreted lands caused by landowner's planting and maintaining vegetation on the seaward boundary of the property affected.  | WLA, JHW     |
| SB 2423                    | RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.<br>Eliminates requirement that DLNR approve an OHA land management plan for the management of kuleana lands before the lands can escheat to OHA; makes OHA a party to all actions to quiet title to kuleana lands in which escheat is an issue, regardless of when the escheat is alleged to have occurred.                                 | WLA, JHW     |
| SB 2421                    | RELATING TO ADVERSE POSSESSION.<br>Bars claims to kuleana lands based on adverse possession.  | WLA, JHW     |

**Decision Making to follow, if time permits.**

Persons wishing to testify should submit 35 copies of their testimony to the committee clerk, Room 212, State Capitol, 24 hours prior to the hearing. Testimony may also be faxed if less than 5 pages in length, to the Senate Sergeant-At-Arms Office at 586-6659 or 1-800-586-6659 (toll free for neighbor islands), at least 24 hours prior to the hearing. When faxing, please indicate to whom the testimony is being submitted, the date and time of the hearing, and the required number of copies needed for submittal.

If you require special assistance or auxiliary aids or services to participate in the public hearing process (i.e., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) please contact the committee clerk 24 hours prior to the hearing so arrangements can be made.

Public Folder. A folder labeled "Public Folder" containing the measures and testimonies for the hearing will be available for shared use by members of the public.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-6760

  
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Senator David Y. Ige  
Chair

  
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Senator Russell S. Kokubun  
Chair

