

STAND. COM. REP. NO. 1089-08

Honolulu, Hawaii

March 14, 2008

RE: S.B. No. 2423
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Water, Land, Ocean Resources & Hawaiian Affairs, to which was referred S.B. No. 2423, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LAND ACQUISITION,"

begs leave to report as follows:

The purpose of this bill is to direct the State to acquire the area commonly known as Turtle Bay Hotel and Resort and the surrounding property by appropriating funds for the purchase and authorizing the exercise of the State's eminent domain powers if an agreement for purchase cannot be reached.

The Governor, Ko'olauloa-North Shore Alliance, Surfrider Foundation Oahu Chapter, Sierra Club-Hawaii Chapter, Windward Ahupua'a Alliance, and numerous concerned individuals testified in support of this bill. The Trust for Public Land supported the intent of this measure. Several concerned individuals provided comments.

Your Committee finds that the purchase of Turtle Bay by the State is consistent with the desire of the community to preserve the rural character of the area while maintaining jobs for local residents. While the State does not intend to undertake hotel operations, purchase of the hotel and resort itself may be used to leverage the purchase of the surrounding property, which the State intends to set aside for preservation purposes. Accordingly, your

SB2423 HD1 HSCR WLH HMS 2008-2890



Committee has amended this bill by clarifying that the purchase may include the hotel and resort.

In addition, your Committee has amended this bill by:

- (1) Expanding the sources of funds that may be used for the purchase of the property to include special funds; private funds, financing, or donations; federal funds; exchange of public lands; or any other means of financing; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2423, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2423, S.D. 2, H.D. 1, and be referred to the Committee on Tourism & Culture.

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

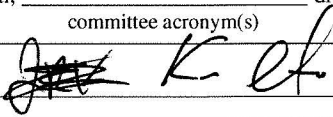


KEN ITO, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

Record of Votes of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

Bill/Resolution No.: SB 2423 SD 2	Committee Referral: WLH, TAC, FIN	Date: 3-10-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. KARAMATSU, Jon Riki (VC)	✓			
3. CARROLL, Mele				✓
4. MAGAOAY, Michael Y.	✓			
5. MORITA, Hermina M.				✓
6. SAGUM, Roland D., III	✓			
7. SAIKI, Scott K.				✓
8. THIELEN, Cynthia	✓			
TOTAL (8)	5			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				