

STAND. COM. REP. NO. 1948-08

Honolulu, Hawaii

AJ-021, 2008

RE: S.C.R. No. 210

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.C.R. No. 210 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO REVIEW THE ACTION OF THE BOARD OF LAND AND NATURAL RESOURCES RELATING TO A LAND EXCHANGE,"

begs leave to report as follows:

The purpose of this measure is to comply with the requirements of Section 171-50, Hawaii Revised Statutes, which states that all land exchanges with the Department of Land and Natural Resources shall be subject to disapproval by the Legislature. The statute requires the Department to introduce a resolution to the Legislature detailing the proposed exchange. The proposed exchange involves Tiana Partners, the Hawaiian Humane Society and the Department of Land and Natural Resources.

The Department of Land and Natural Resources and the Hawaiian Humane Society testified in support of this measure.

Your Committee finds that this exchange has been approved in principle by the Board of Land and Natural Resources at its meetings on December 8, 2006 and December 14, 2007. The proposed exchange involves property, located in Niu, Oahu, currently owned by Tiana Partners (48%) and the Hawaiian Human Society (52%) with the State of Hawaii holding a springing executory interest from the Hawaiian Humane Society's interest. The Hawaiian Humane Society is proposing to transfer its (52%), with the State

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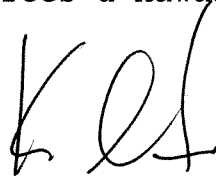


releasing its springing executory interest, in three of four parcels to Tiana Partners for cash and other consideration. The Hawaiian Humane Society's interest in the fourth parcel will be transferred to the Department of Land Natural Resources to be included in the Department's Honolulu Watershed Forest Reserve for watershed protection.

Your Committee has amended this measure by changing the measure's title to reflect that the Legislature approves of the proposed land exchange, although Section 171-50, Hawaii Revised Statutes, does not require the Legislature to explicitly approve such land exchanges. The measure title has been amended to read, "APPROVING THE ACTION OF THE BOARD OF LAND AND NATURAL RESOURCES RELATING TO A LAND EXCHANGE."

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 concurs with the intent and purpose of S.C.R. No. 210, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 210, H.D. 1.

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



KEN ITO, Chair



