

Honolulu, Hawaii

MAR 14 2008

RE: H.B. No. 2518
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred H.B. No. 2518, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to provide a land conservation incentives tax credit to encourage the preservation and protection of land in the State.

Specifically, the measure establishes a Land Conservation Incentives Tax Credit to allow taxpayers to deduct:

- (1) Fifty per cent of the value of the interest on lands donated to the state or a county in perpetuity for conservation purposes; or
- (2) Fifty per cent of the amount invested in the management of lands for conservation purposes under a land protection agreement.

Testimony in support of this measure was submitted by the Trust for Public Land, Maui Land and Pineapple Company, Inc., Hawaii Agriculture Research Center, The Nature Conservancy, Windward Ahupuaa Alliance, and fifteen individuals. The Department of Agriculture and two individuals submitted testimony in support of the intent of this measure. The Tax Foundation of Hawaii submitted comments on this measure.




The Department of Land and Natural Resources testified that it supported the intent of this measure but preferred S.B. No. 2198, S.D. 2, over this measure.

This measure has been amended by replacing its content in its entirety with the content of S.B. No. 2198, S.D. 2, which includes a requirement that the designation of land as significant or important be made by a relevant state agency and that the taxpayer work with the state agency to identify opportunities for public access if appropriate and reasonable.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2518, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2518, H.D. 1, S.D. 1, and be referred to the Committee on Economic Development and Taxation.

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



CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:
HB 2518, HD 1	WTL, EDT, WAM	03, 12, 08

The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
FUKUNAGA, Carol				/
TOKUDA, Jill N.	/			
WHALEN, Paul	/			
TOTAL	4			1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes