

STAND. COM. REP. NO.

997

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1923
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1923, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE,"

begs leave to report as follows:

The purpose of this measure is to require the prior approval of the Legislature for the exchange of any public lands.

Specifically, this measure will require the prior legislative approval of the exchange of lands controlled by the Department of Land and Natural Resources and other departments, agencies, and entities, included but not limited to the Department of Agriculture, University of Hawaii, Hawaii Community Development Authority, and Aloha Tower Development Corporation.

Your Committee has received comments from the Department of Land and Natural Resources, Department of Transportation, and Hawaiian Homes Commission in opposition to this measure. The Attorney General submitted comments.

This measure will require the prior approval by two-thirds majority of each house of the Legislature of any proposed land exchanges of lands owned or controlled by state departments and agency for privately held lands. This measure will ensure that any land exchanges involving public lands will be for a public purpose and in the best interest of the State.

SB1923 SD2 SSCR LRB 07-3086.doc

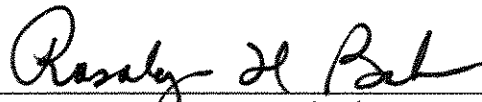


Your Committee notes that section 171-50, Hawaii Revised Statutes, deals with the exchange of public lands controlled by the Department of Land and Natural Resources and that the language contained in this measure may conflict with section 171-50, Hawaii Revised Statutes, particularly with subsection (c) that provides for the legislative disapproval of any land exchange proposed by the Department of Land and Natural Resources.

Accordingly, your Committee has amended this measure by changing its effective date to allow further discussion on this measure. Your Committee has further made technical nonsubstantive changes for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1923, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1923, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




ROSALYN H. BAKER, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1923 SD1	WAH, WAM	2-23-07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
KIM, Donna Mercado	/			
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
WHALEN, Paul		/		
TOTAL	9	1	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

*Only one measure per Record of Votes