

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 3102
S.D. 2

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 3102, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to provide for greater protection of lands that have value as a resource to the State by allowing:

- (1) Public and private moneys to be deposited into the land conservation fund and distributed as grants for the acquisition of land having value as a resource to the State; and
- (2) Moneys from the land conservation fund to be used for the costs of operating, maintaining, and managing lands acquired by way of the land conservation fund.

The Department of Land and Natural Resources, Hawaii Agriculture Research Center, and the Nature Conservatory submitted testimony in support of this measure. The Trust for Public Land submitted testimony in opposition to this measure.

The Legacy Land Conservation Program is currently funded through an annual transfer of ten per cent of the conveyance tax to the land conservation fund. The program has successfully partnered with state and county agencies, as well as nonprofit land conservation organizations to protect a significant amount of



the State's resource value lands. However, in the first two years of the program's existence, the applicants' requests have exceeded the sums available to be awarded.

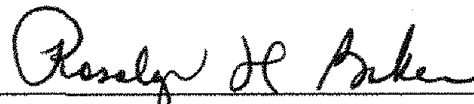
Your Committee finds that this measure will increase the number of quality projects that can be funded through the program by permitting other public and private moneys to be deposited into the land conservation fund. This measure will also help protect resources at risk on the resource value lands by allowing moneys from the land conservation fund to be used for the costs of operating, maintaining, and managing lands acquired by way of the land conservation fund. This will ultimately provide greater public access and enjoyment of the resource value lands.

Upon further consideration, your Committee has amended this measure by:

- (1) Specifying that the costs related to the operation, maintenance, and management of lands acquired by way of the land conservation fund cannot exceed five per cent of annual fund revenues of the previous year, not costs in general; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 3102, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3102, S.D. 2.

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

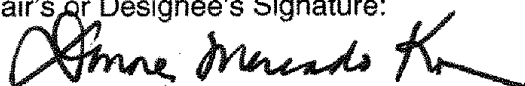


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB3102, SD1	WTL, WAM	2/26/08		
<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.				/
INOUYE, Lorraine R.	/			
KIM, Donna Mercado	/			
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
WHALEN, Paul	/			
TOTAL	10	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes