

Honolulu, Hawaii

FEB 14 2007

RE: S.B. No. 838  
S.D. 1

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

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.B. No. 838 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LANDS,"

begs leave to report as follows:

The purpose of this measure is to exempt certain private property acquired through gift or exchange by the Board of Land and Natural Resources from the requirements of conservation district, land use, coastal zone management and county zoning laws, and any county subdivision regulations.

Testimony was submitted in opposition to this measure by the City and County of Honolulu, Department of Planning and Permitting. Comments were submitted by the Department of Land and Natural Resources.

Your Committee finds that there is a continued need to ensure that sufficient amounts of land are available to accommodate the outdoor recreational and education needs of Hawai'i's people. To that end, the State and counties have acquired private land in order to ensure that these needs are met. However, continued encouragement of public and private initiatives and facilitation of the conversion of private land that is adjacent to public land, is necessary to ensure that adequate amounts of land become and remain available for Hawai'i's people.

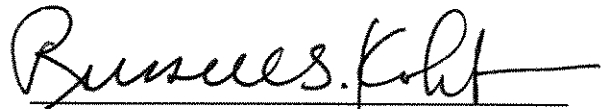


Your Committee amended this measure by making a technical amendment to the proposed subsection (f), by removing the reference to Hawaii Revised Statutes as unnecessary.

It is the intent of your Committee to exempt land acquired or gifted to the Board of Land and Natural Resources for public recreational and educational uses in conjunction with adjoining public land, from the requirements of conservation district, land use, coastal zone management and county zoning laws, and any county subdivision regulations.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 838, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 838, S.D. 1, and be referred to the Committee on Intergovernmental and Military Affairs.

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



RUSSELL S. KOKUBUN, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Water, Land, Agriculture and Hawaiian Affairs**  
**WAH**

Bill / Resolution No.:* <i>S.B. 898</i>	Committee Referral: <i>WAH, IGM</i>	Date: <i>2/12/07</i>		
<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
KOKUBUN, Russell S. (C)	/			/
TOKUDA, Jill N. (VC)	/			
FUKUNAGA, Carol	/			
HEE, Clayton	/			
SLOM, Sam	/			
<b>TOTAL</b>	<i>4</i>			<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Clayton Hee</div>				
Distribution: <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> </div>				

\*Only one measure per Record of Votes