

Honolulu, Hawaii

FEB 08 2007

RE: S.B. No. 933

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. 933 entitled:

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

begs leave to report as follows:

The purpose of this measure is to streamline the process for the acquisition and management of lands having value as a resource to the State.

Specifically, this measure provides more flexibility in the appraisal process when the Board of Land and Natural Resources acquires land having value as a resource to the State by:

- (1) Allowing the Board of Land and Natural Resources the option to accept an existing appraisal prepared on behalf of a nonprofit organization, or contract for an independent appraisal; and
- (2) Prohibiting the Board of Land and Natural Resources from purchasing land for a sum greater than the highest value fixed on any appraisal unless the higher value is justified by the appraiser or the Attorney General, or the acquisition is made by condemnation.

Testimony in support of this measure was submitted by the Nature Conservancy and the Trust for Public Land. The Department of Land and Natural Resources submitted comments.



Under chapter 173A, Hawaii Revised Statutes, land having value as a resource to the State includes land having natural, environmental, recreational, scenic, cultural, agricultural production value, and may include park and trail systems that provide access to these types of land. The Legacy Land Conservation Commission was established under section 173A-2.4, Hawaii Revised Statutes, to advise the Department and the Board of Land and Natural Resources on the acquisition of land having value as a resource to the State and request grants from the Land Conservation Fund for the preservation of lands having value as a resource to the State.

When the Board of Land and Natural Resources acquires land having value as a resource to the State, the Board is required to contract for an independent appraisal, even if a current appraisal already exists and is available. Your Committee finds that providing the Board an additional option of accepting an existing and current appraisal that was prepared by nonprofit organization will save the State money on unnecessary and duplicative appraisals. Your Committee believes that providing additional flexibility in the appraisal process during land acquisitions will fulfill the intent of this measure, which is to streamline the process for the acquisition and management of lands having a resource to the State.

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. 933 and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.


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.:* SB 933	Committee Referral: WAH, WAM	Date: FEB. 05, 2007		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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)	X			
TOKUDA, Jill N. (VC)	X			
FUKUNAGA, Carol	X			
HEE, Clayton				X
SLOM, Sam	X			
TOTAL	4			1
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: 1.5em; margin-top: 10px;">  </div>				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes