

STAND. COM. REP. NO.

3249

Honolulu, Hawaii

MAR 28 2008

RE: S.R. No. 124

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 S.R. No. 124 entitled:

"SENATE RESOLUTION REQUESTING THE LEGISLATURE TO REVIEW THE ACTION OF THE BOARD OF LAND AND NATURAL RESOURCES RELATING TO A LAND EXCHANGE, "

begs leave to report as follows:

The purpose of this measure is to comply with the requirements of Section 171-50, Hawaii Revised Statutes, which states that all land exchanges with the Department of Land and Natural Resources shall be subject to disapproval by the Legislature. The statute requires the Department to introduce a resolution to the Legislature detailing the proposed exchange. The proposed exchange involves Tiana Partners, the Hawaiian Humane Society and the Department of Land and Natural Resources.

Testimony in support of this measure was submitted by the Hawaiian Humane Society and the Department of Land and Natural Resources.

Your Committee finds that this exchange has been approved in principle by the Board of Land and Natural Resources at its meetings on December 8, 2006 and December 14, 2007. The proposed exchange involves property, located in Niu, Oahu, currently owned by Tiana Partners (48%) and the Hawaiian Humane Society (52%) with the State of Hawaii holding a springing executory interest from the Hawaiian Humane Society's interest. The Hawaiian Humane Society is proposing to transfer its (52%), with the State releasing its springing executory interest, in three of four

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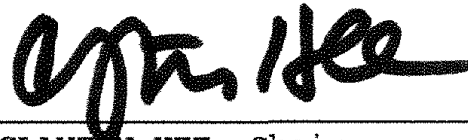


parcels to Tiana Partners for cash and other consideration. The Hawaiian Humane Society's interest in the fourth parcel will be transferred to the Department of Land and Natural Resources to be included in the Department's Honolulu Watershed Forest Reserve for watershed protection.

Your Committee finds that the exchange is in the best interest of the State of Hawaii and the interested parties and although section 171-50, Hawaii Revised Statutes, does not require the Legislature to explicitly approve such land exchanges, your Committee believes this measure should continue through the legislative process as a vehicle for further discussion and review on the matter.

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 concurs with the intent and purpose of S.R. No. 124 and recommends that it be referred to the Committee on Judiciary and Labor.

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.:* SR 124	Committee Referral: WTL	Date: 3/24/08
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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	3			2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Russell S. Kohl

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*Only one measure per Record of Votes