

Honolulu, Hawaii

April 1, 2010

RE: S.B. No. 2020
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2020, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY,"

begs leave to report as follows:

The purpose of this bill is to help stabilize Hawaii's economy by addressing some of the burdensome or vague provisions of existing commercial and industrial leases of certain lands within urban districts by extending the sunset date for Act 189, Session Laws of Hawaii 2009 (Act 189), to July 1, 2014.

Specifically, Act 189 clarifies provisions in long-term commercial and industrial ground leases without substantial reduction in the economic benefit to the owners or impact on their ownership of the land, without impairing their lease contracts, and without the taking of any property rights without due process of law.

Citizens for Fair Valuation; Grace Pacific Corporation; GP Roadway Solutions; Servco Pacific Inc.; Big Rock Manufacturers, Inc.; Inter-Island Solar Supply; A-1 A-Lectrician, Inc.; Central Park Community Association; Plywood Hawaii; and several concerned individuals supported this bill. The Land Use Research Foundation of Hawaii, HRPT Properties Trust, and Hawaii Association of REALTORS opposed this measure.



Your Committee has amended this bill by:

- (1) Changing the sunset extension from 2014 to 2011;
- (2) Changing the effective date to December 21, 2058, to encourage further discussion; and
- (3) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2020, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2020, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



JON RIKI KARAMATSU, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSR 1135-10

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 2020, HD1	Committee Referral: EBM, JUD	Date: 3/30/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)	✓			
2. ITO, Ken (VC)	✓			
3. BELATTI, Della Au		✓		
4. CABANILLA, Rida	✓			
5. CARROLL, Mele				✓
6. HERKES, Robert N.	✓			
7. LUKE, Sylvia				✓
8. McKELVEY, Angus L.K.				✓
9. MIZUNO, John M.				✓
10. MORITA, Hermina M.		✓		
11. OSHIRO, Blake K.	✓			
12. SOUKI, Joseph M.	✓			
13. TSUJI, Clift	✓			
14. WAKAI, Glenn	✓			
15. MARUMOTO, Barbara C.	✓			
16. THIELEN, Cynthia	✓			
TOTAL (16)	10	2		4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
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