

STAND. COM. REP. NO.

30

Honolulu, Hawaii

Feb 4, 2011

RE: H.B. No. 397

H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committees on Water, Land, & Ocean Resources and  
Hawaiian Affairs, to which was referred H.B. No. 397 entitled:

"A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE  
STATE,"

beg leave to report as follows:

The purpose of this bill is to help preserve the public lands  
of the State. Specifically, this measure requires that:

- (1) The concurrent resolution to exchange, sell, or gift  
public land contain, among other things:
  - (A) The specific location and size in square feet or in  
other precise measure of the parcel of land to be  
sold or given;
  - (B) The specific purpose for which the land is being  
sold or given; and
  - (C) A statement of whether the land is, or is not, land  
that was classed as government or crown lands  
previous to August 15, 1895, or was acquired by the  
State in exchange for such lands, and a detailed  
explanation of how the state department or agency  
made this determination;

and

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- (2) A copy of the concurrent resolution be submitted to the Office of Hawaiian Affairs (OHA) six months prior to the convening of a regular or special session of the Legislature to allow OHA to determine whether the land was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands.

OHA and the Association of Hawaiian Civic Clubs supported this bill.

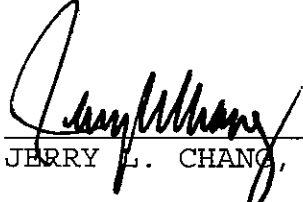
After careful consideration, your Committees have amended this bill by requiring that the copy of the concurrent resolution submitted to OHA be submitted at least three months prior to the convening of a regular or special session of the Legislature.

Your Committees note that this bill would affect not only OHA but also the Department of Agriculture, University of Hawaii, Agribusiness Development Corporation, and High Technology Development Corporation as holders of title to public lands.

As affirmed by the records of votes of the members of your Committees on Water, Land, & Ocean Resources and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 397, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 397, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Water, Land, &  
Ocean Resources and Hawaiian  
Affairs,

  
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FAYE LANOHANO, Chair

  
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JERRY L. CHANG, Chair





