

STAND. COM. REP. NO.

588

Honolulu, Hawaii

Feb 18, 2011

RE: H.B. No. 397  
H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 397, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to assist in the review of legislative resolutions regarding proposed exchanges, sales, or gifts of state land for consideration by the legislature by requiring:

- (1) Specificity in all concurrent resolutions of proposed exchanges, sales, or gifts of state land, including whether the land was classed as government or crown lands prior to August 15, 1895; and
- (2) That a copy of the concurrent resolution be submitted to the Office of Hawaiian Affairs (OHA) at least three months prior to the appropriate legislative session.

OHA; Oahu Council, Association of Hawaiian Civic Clubs; Koolaupoko Hawaiian Civic Club; Aha Kiolo Advisory Committee; and several concerned individuals supported this bill. The Association of Hawaiian Civic Clubs opposed this measure. The Department of Land and Natural Resources and Hawaii Housing Finance and Development Corporation provided comments.

HB397 HD2 HSCR JUD HMS 2011-2436



Your Committee has amended this bill by:

- (1) Removing the requirement for specificity in the purpose for which lands are being exchanged, sold, or given in resolutions and concurrent resolutions submitted to the Legislature;
- (2) Allowing the designated state agency to submit a draft copy of the resolution or concurrent resolution to OHA; and
- (3) Changing its effective date to January 7, 2059, to encourage further discussion.

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 H.B. No. 397, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 397, H.D. 2.

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

  
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GILBERT KEITH-AGARAN Chair



