

Honolulu, Hawaii

APR 08 2011

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

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 397, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to allow for better oversight of the disposition of public lands.

Specifically, the measure accomplishes this by:

- (1) Requiring more specificity in all concurrent resolutions for the review 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) Requiring that a draft copy of the concurrent resolution be submitted to the Office of Hawaiian Affairs at least three months prior to the appropriate legislative session.

Your Committee received comments in support of this measure from the Office of Hawaiian Affairs; and Karen Seddon, Executive Director, Hawaii Housing Finance and Development Corporation.



Your Committee received comments on this measure from William J. Aila, Jr., Chairperson, Department of Land and Natural Resources.

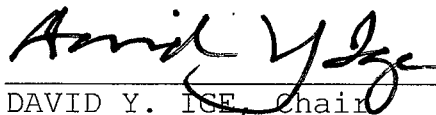
Your Committee finds that Act 176, Session Laws of Hawaii 2009, established a more comprehensive process for the sale or gift of state-owned land. During the 2010 Regular Session, substantial numbers of concurrent resolutions relating to the sale or gift of state land moved through both houses of the Legislature. However, the concurrent resolutions did not provide information sufficient for all stakeholders to give adequate consideration to the proposed transactions.

Your Committee further finds that this measure will provide the information and time necessary for the Legislature and the Office of Hawaiian Affairs to fulfill their respective roles in a timely and efficient manner.

Your Committee has amended this measure by making a technical nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 397, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 397, H.D. 2, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



DAVID Y. ICE, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

|  |  |                        |          |          |
|--|--|------------------------|----------|----------|
| Bill / Resolution No. :*<br><b>HB 397, HD2, SDI</b>  | Committee Referral:<br><b>HWN/WLH/SDL, WAM</b> | Date:<br><b>4-1-11</b> |          |          |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |  |                        |          |          |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313         |  |                        |          |          |
| Members  | Aye  | Aye (WR)               | Nay      | Excused  |
| IGE, David Y. (C)  | /  |                        |          |          |
| KIDANI, Michelle N. (VC)   | /  |                        |          |          |
| CHUN OAKLAND, Suzanne  | /  |                        |          |          |
| DELA CRUZ, Donovan M.  |  |                        |          | /        |
| ENGLISH, J. Kalani   |  |                        |          | /        |
| ESPERO, Will   | /  |                        |          |          |
| FUKUNAGA, Carol  | /  |                        |          |          |
| KIM, Donna Mercado   | /  |                        |          |          |
| KAHELE, Gilbert  | /  |                        |          |          |
| KOUCHI, Ronald D.  |  |                        |          | /        |
| RYAN, Pohai  | /  |                        |          |          |
| TOKUDA, Jill N.  | /  |                        |          |          |
| WAKAI, Glenn   | /  |                        |          |          |
| SLOM, Sam  | /  |                        |          |          |
|  |  |                        |          |          |
|  |  |                        |          |          |
| <b>TOTAL</b>   | <b>11</b>                                      | <b>0</b>               | <b>0</b> | <b>3</b> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                        |          |          |
| Chair's or Designee's Signature:<br><div style="text-align: right; margin-right: 100px;"><i>Michelle N. Kidani</i></div>   |  |                        |          |          |
| <b>Distribution:</b> Original          Yellow          Pink          Goldenrod<br>File with Committee Report                    Clerk's Office                    Drafting Agency                    Committee File Copy |  |                        |          |          |

\*Only one measure per Record of Votes