

STAND. COM. REP. NO.

915

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 922  
S.D. 1

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

Sir:

Your Committee on Hawaiian Affairs, to which was referred  
H.B. No. 922 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LANDS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow 999-year  
homestead leases to be assigned to land trusts that are created  
for the purposes of managing and holding the homestead leasehold  
estate for the benefit of the lessee and lessee's family members.

Your Committee received testimony in support of this measure  
from the Office of Hawaiian Affairs and two individuals. Your  
Committee received testimony in opposition to this measure from  
one individual.

Your Committee finds that the structure of the 999-year  
leases continues to pose challenges for lessees and causes  
significant conflict in families. Act 166, Session Laws of Hawaii  
2000, was intended to make the leases more freely available to  
lessees' family members, but uncertainty regarding the Act's  
effect on existing legal rights has made it difficult to identify  
the rightful leaseholder and hampers the orderly transfer of  
leases. Your Committee is in support of this measure as a means  
of addressing this continuing problem for lessees and their  
families.



Your Committee has amended this measure by incorporating provisions from S.B. No. 1521, S.D. 2, and S.B. No. 2, S.D. 2. As amended, this measure:

- (1) In part I, retains the provisions relating to 999-year homestead leases;
- (2) In part II, authorizes exemptions from state and county permits, including all permits required under chapter 205A, Hawaii Revised Statutes, for the Hawaii Marine Laboratory Refuge for repair and maintenance of its facilities located on the island of Moku-o-loe (Coconut Island), Island of Oahu;
- (3) In part III:
  - (A) Requires the Department of Land and Natural Resources to initiate and coordinate all efforts to establish a public lands information system, beginning July 1, 2011;
  - (B) Requires all state agencies to report to the Department each parcel of land to which the agency holds title and the disposition of each parcel to which the agency holds title or is acquiring title by August 1, 2011, and any inaccuracies in reports to the Department by January 1, 2012;
  - (C) Requires the Department to submit a progress report to the Legislature prior to the Regular Sessions of 2012 and 2013; and
  - (D) Appropriates funds to create and maintain a comprehensive statewide public land trust inventory database and to provide funding for one staff position; provided that the funds shall be matched dollar-for-dollar by the Office of Hawaiian Affairs; and
- (4) Makes technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B.



No. 922, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 922, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Hawaiian Affairs,

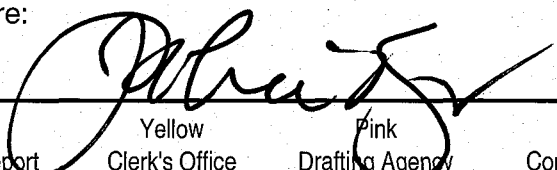


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BRICKWOOD GALUTERIA, Chair

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Hawaiian Affairs**  
**HWN**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 922	HWN, JDL	03-21-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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
GALUTERIA, Brickwood (C)	✓			
RYAN, Pohai (VC)	✓			
ENGLISH, J. Kalani	✓			
HEE, Clayton	✓			
KAHELE, Gilbert	✓			
KIDANI, Michelle N.	✓			
SOLOMON, Malama				✓
SLOM, Sam				✓
<b>TOTAL</b>	6			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes