

STAND. COM. REP. NO.

1253

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 922  
S.D. 2

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

Sir:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred H.B. No. 922, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to, among other things:

- (1) Allow 999-year homestead leases to be assigned to land trusts that are created for managing and holding the homestead leasehold estate for the benefit of the lessee and lessee's family members;
- (2) Authorize exemptions from state and county permits for the Hawaii Marine Laboratory Refuge for repair and maintenance of its facilities on Coconut Island;
- (3) Require the Department of Land and Natural Resources to initiate and coordinate all efforts to establish a public lands information system; and
- (4) Appropriate funds for a comprehensive statewide public land trust inventory database and funding for one staff position for a database and application developer.

Your Committees received testimony in support of this measure from the University of Hawai'i System and four individuals. Your Committees received comments on this measure from the Department



of the Attorney General, Department of Land and Natural Resources, Office of Hawaiian Affairs, and one individual.

Your Committees find that H.B. No. 377, S.D. 1, also addresses the subject matter contained in Part II of this measure, relating to Coconut Island, and that the inclusion of this language in this measure is duplicative and unnecessary. Additionally, your Committees heard testimony indicating that the use of the terms "public lands" and "public land inventory" throughout the measure could be misconstrued.

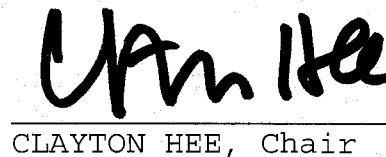
Accordingly, your Committees have amended this measure by:

- (1) Removing part II of the measure;
- (2) Changing references from "public lands" and "public land inventory" to "public land trust lands" and "inventory of public land trust lands", respectively; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 922, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 922, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Labor and Ways and Means,

  
\_\_\_\_\_  
DAVID Y. IGE, Chair

  
\_\_\_\_\_  
CLAYTON HEE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>HB 922, SDI</b>	Committee Referral: <b>HWN, JDL/WAM</b>	Date: <b>4/7/11</b>		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike				✓
IHARA, Jr., Les				✓
SLOM, Sam		✓		
<b>TOTAL</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 922, SDI	HWN, JDL/WAM	4-7-11		
<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
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>	8	1	0	5
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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