

STAND. COM. REP. NO.

3206

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2398
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Ways and Means, to which was referred H.B. No. 2398, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

beg leave to report as follows:

The purpose and intent of this measure is to establish the Honokohau Marina Development District on the island of Hawaii under the Hawaii Community Development Authority.

Your Committees received testimony in opposition from the Department of Land and Natural Resources, Kona Hawaiian Civic Club, Makani Hou O Kaloko-Honokohau, and two individuals. Your Committees received comments from the Office of the Attorney General.

Your Committees find that the Public Land Development Corporation was recently created as an agency to develop public lands into suitable recreational and leisure centers for residents and tourists. Accordingly, certain parcels of land held by other state agencies can benefit from being transferred to and developed by the Public Land Development Corporation.

Your Committees recognize the Aloha Stadium as a preferred venue for major entertainment and recreational events. Due to its central location, opportunities exist to strengthen the stadium and its surrounding properties to enable the stadium to become a self-sustaining premier venue. It is your Committees' intent to



create a source of funding to assist the stadium in pursuing these opportunities.

Therefore, your Committees have amended this measure by deleting its contents and replacing the contents with language that:

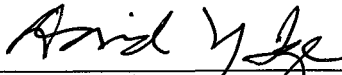
- (1) Transfers density rights of the properties located at tax map keys (3)7-4-08:03, (3)7-4-08:41, and (3)7-4-08:71 to the Public Land Development Corporation (PLDC);
- (2) Excludes lands set aside by the Governor, leased to the PLDC by any state agency, or to which the PLDC holds title from the definition of public lands under chapter 171, Hawaii Revised Statutes;
- (3) Requires prior legislative approval for the sale or gift of land set aside by the Governor or to which the PLDC holds title;
- (4) Creates the stadium facilities special fund into which shall be deposited a portion of the proceeds generated by the PLDC from Aloha Stadium lands and facilities;
- (5) Amends the definition of development rights under chapter 171C, Hawaii Revised Statutes, to include all rights related to the development of a property;
- (6) Allows the PLDC to contract with state or county agencies for lease management services of PLDC-controlled land;
- (7) Excludes funds to be deposited in the stadium facilities special fund from the funds to be credited to the Hawaii public land development revolving fund; and
- (8) Makes technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2398, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached

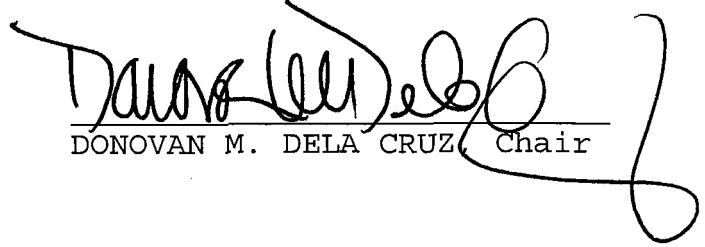


hereto as H.B. No. 2398, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committees on Water, Land, and Housing and Ways and Means,



DAVID Y. IGE, Chair

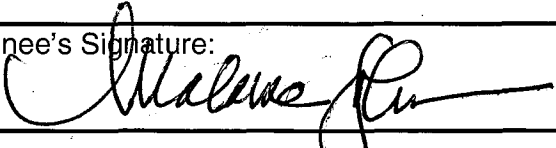


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2398 HDZ	WLH/WAM	4/3/12		
<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
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
TOTAL	5			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

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

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Committee on Ways and Means
WAM

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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	/			
TOTAL	9	0	0	5
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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