

STAND. COM. REP. NO.

2556

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2670

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 Energy and Environment, to which was referred S.B. No. 2670 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LAND LEASEHOLDERS RIGHTS,"

beg leave to report as follows:

The purpose and intent of this measure is to require the Board of Land and Natural Resources to seek input from existing lessees or public land during the Board's consideration of a renewable energy producer's proposal and whether to lease that land to the renewable energy producer.

Your Committees received testimony in support of this measure from the Hawaii Cattlemen's Council, Molokai Farm Bureau, and five individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committees find that this measure stems from actions by the Board of Land and Natural Resources in November 2008 where there was a proposal for a direct lease to be awarded to a bio-fuels company for 37,000 acres of state lands that had been leased to several ranchers at the time. Those tenants were never notified of the proceedings.

Because of the demise of many segments of Hawaii's livestock industry, it is important to work with existing producers to ensure the industry's sustainability. This measure would encourage state agencies and leaseholders to work together to allow renewable energy projects to co-exist with current

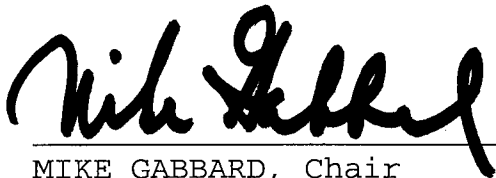
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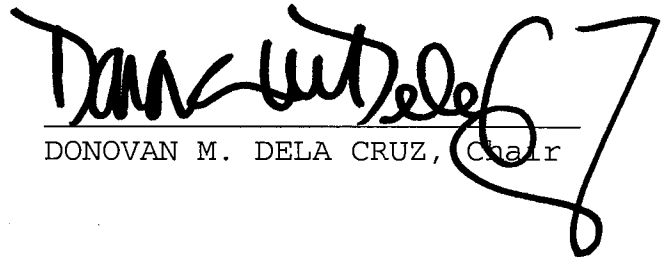
leaseholders' industries. For example, compromises can be negotiated to improve the infrastructure of the land to accommodate both projects' needs. As another alternative is for a displaced tenant's losses to be offset where it appears equitable and feasible, as a condition of taking back a portion of the lease. Losing control of large tracts of land that are mostly leased from the State will only contribute to the already fragile state of the livestock industry.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Energy and Environment that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2670 and recommend that it pass Second Reading 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 Energy and
Environment,



MIKE GABBARD, Chair

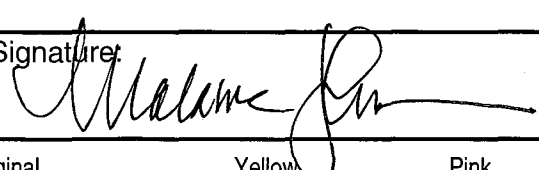


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i


Record of Votes
Committee on Water, Land and Housing
WLH

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|--|---------------------|----------|-----|----------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 2670 | WLH/ENE | 2-23-12 | | |
| <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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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 | | | | / |
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| TOTAL | 4 | | | 3 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: 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 Energy and Environment
ENE

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|--|---|-------------------------------|----------|----------|
| Bill / Resolution No.:* SB 2670 | Committee Referral: WLH / ENE | Date: March 1, 2012 | | |
| <input checked="" type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: <u>Pass with amendments</u> | | | | |
| The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| GABBARD, Mike (C) | ✓ | | | |
| ENGLISH, J. Kalani (VC) | | | | ✓ |
| GREEN, M.D., Josh | | | | ✓ |
| IHARA, Jr., Les | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 3 | 0 | 0 | 2 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

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