

Honolulu, Hawaii

FEB 11 2013

RE: S.B. No. 1026

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Water and Land and Economic Development,
Government Operations and Housing, to which was referred S.B.
No. 1026 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Issue and serve an order to a party to show cause why a property should not revert to its former land use classification or be changed to a more appropriate classification; or
- (2) Modify the conditions or impose new conditions on the party to ensure compliance with a decision and order of the Commission,

if the party has not substantially commenced use of the land in accordance with representations made to the Commission or has not substantially complied with conditions imposed.

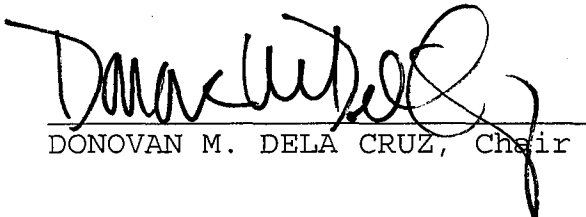
Your Committees received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning; and Land Use Commission. Your Committees received testimony in opposition to this measure from Hawaii's Thousand Friends, Sierra Club Hawaii Chapter, and one individual.



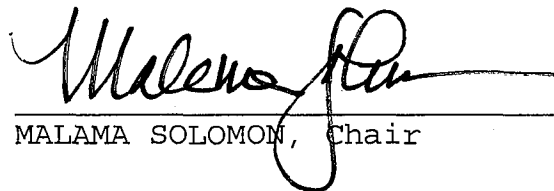
Recent cases have shown that violations often occur or are brought to the attention of the Commission many years after an original order is granted by the Commission. In certain circumstances, reversion of the land back to its original classification may make no sense given what has occurred in surrounding areas or may be unfair to a petitioner who has already invested considerable capital in a project. Your Committees find that this measure provides the Commission with more efficient and varied methods of dealing with situations where landowners violate the conditions contained in a decision and order.

As affirmed by the records of votes of the members of your Committees on Water and Land and Economic Development, Government Operations and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1026 and recommend that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Economic Development,
Government Operations and
Housing,



DONOVAN M. DELA CRUZ, Chair

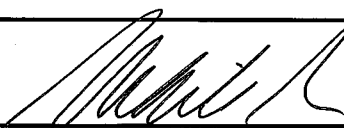


MALAMA SOLOMON, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1026	WTL/EGH, JDL	2/5/12		
<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
SOLOMON, Malama (C)	✓			
SHIMABUKURO, Maile S.L. (VC)		✓		
DELA CRUZ, Donovan M.	✓			
IHARA, Jr., Les				✓
RUDERMAN, Russell E.				✓
THIELEN, Laura H.				✓
SLOM, Sam		✓		
TOTAL	2	2	0	3
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-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Economic Development, Government Operations and Housing
EGH

Bill / Resolution No.:* SB102b	Committee Referral: WTL/EGH, JDL	Date: 2/5/13
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
SLOM, Sam (VC)		X		
BAKER, Rosalyn H.	X			
CHUN OAKLAND, Suzanne		X		
ENGLISH, J. Kalani	X			
THIELEN, Laura H.				X
WAKAI, Glenn	X			
TOTAL	4	2	0	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:

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