

STAND. COM. REP. NO.

453

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 707
S.D. 2

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 707, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal chapter 171C, Hawaii Revised Statutes, relating to the Public Land Development Corporation.

In addition, the measure also:

- (1) Deposits unexpended and unencumbered funds appropriated to the Department of Land and Natural Resources pursuant to Act 55, Session Laws of Hawaii 2011, into the land conservation fund;
- (2) Deposits unexpended and unencumbered proceeds in the stadium facilities special fund and the school facilities special fund into the general fund; and
- (3) Transfers the planner and project-related development specialist hired pursuant to Act 55, Session Laws of Hawaii 2011, to the Department of Land and Natural Resources.



Your Committee received written comments in support of this measure from Activities & Attractions Association of Hawaii, Life of the Land, Outdoor Circle, Island Breath, and fourteen individuals. Your Committee received written comments in opposition to this measure from the Hawaii Department of Defense. The Department of Land and Natural Resources, Puna Pono Alliance, and one individual submitted written comments.

Your Committee finds that the community has expressed significant concerns regarding the establishment of the Public Land Development Corporation. Of specific concern has been the exemptions granted to the Corporation, which effectively authorize the Corporation to bypass county plans and subdivision and zoning codes. Although the Corporation's intended purpose of spurring economic development and improving recreational opportunities by utilizing public lands is commendable, your Committee believes that the Corporation has been granted excessive powers without sufficient safeguards. Accordingly, your Committee finds that, at this time, it is in the public's best interest to repeal the legislation that established the Public Land Development Corporation.

Your Committee has amended this measure by:

- (1) Clarifying that the executive director, in addition to the planner and project-development specialist hired pursuant to Act 55, Session Laws of Hawaii 2011, shall be transferred to the Department of Land and Natural Resources;
- (2) Providing for the transfer of assets made, used, acquired, or held by the Public Land Development Corporation to the Department of Land and Natural Resources; and
- (3) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 707, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 707, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

David Y. Ige

DAVID Y. IGE, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 707 SDI	Committee Referral: EGHWTL, WAM	Date: 2-15-13		
<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	✓			
KAHELE, Gilbert	✓			
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
TOTAL	12			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes