

STAND. COM. REP. NO.

3356

Honolulu, Hawaii

APR 04 2014

RE: H.B. No. 1823
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 1823, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require nonbinding mediation in disputes regarding the fair market value or fair market rental of public lands.

The measure also specifies the procedures for binding arbitration if mediation does not resolve a dispute regarding fair market rental for the reopening of the rental to be paid on a lease.

Your Committee received written comments in support of this measure from the Hawaii Farm Bureau Federation; David S. De Luz Sr., Enterprises, Inc.; Citizens for Fair Valuation; the Hawaii Aquaculture and Aquaponics Association; the Sand Island Business Association; and three individuals. Written comments in opposition were received from the Department of Land and Natural Resources.

Your Committee finds that mediation should be made available to resolve disputes regarding the fair market value or fair market rental of public lands in transactions involving the Board of Land and Natural Resources and private purchasers, owners, or leaseholders. Your Committee believes that this measure will

HB1823 SD1 SSCR LRB 14-2375.doc



encourage parties to work collaboratively toward mutual solutions in valuation disputes regarding public lands.

Your Committee has amended this measure by:

- (1) Changing the effective date from July 1, 2020, to July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for 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 H.B. No. 1823, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1823, H.D. 1, S.D. 1.

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



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.:*	Committee Referral:	Date:		
HB 1823 HD1	WTL/JDL, WAM	3-28-14		
<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	✓			
	11	1	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes