

STAND. COM. REP. NO. 2299

Honolulu, Hawaii

FEB 12 2014

RE: S.B. No. 2676  
S.D. 1

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

Madam:

Your Committees on Water and Land and Higher Education, to which was referred S.B. No. 2676 entitled:

"A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE,"

beg leave to report as follows:

The purpose and intent of this measure is to repeal the exemption from legislative approval for sales of non-ceded lands conveyed to the University of Hawaii after December 31, 1989, to which the University of Hawaii holds title.

Your Committees received testimony in opposition to this measure from the University of Hawaii System.

Your Committees find that the intent of Act 56, Session Laws of Hawaii 2010, which enacted the amendment to section 171-64.7(b), Hawaii Revised Statutes, being repealed by this measure, was for the exemption to apply only to the West Oahu campus as evidenced by the language of Senate Standing Committee Report No. 2975, Regular Session of 2010, on H.B. No. 2561, S.D. 1, which reads, in part:

"Your Committees find that the Campbell Estate gifted non-ceded lands to the University of Hawaii for the specific purpose of building the West Oahu campus, with the condition that construction begin by December 31, 2011 or the land reverts to the Campbell Estate. Portions of the gifted land surrounding the



proposed campus are to be sold to expedite the financing of the construction of the new campus, however, the legislative approval process may cause delays in these sales thus resulting in the condition not being met."

According to testimony of the University of Hawaii System on this measure:

"The University's current focus is on ground leasing opportunities of its lands surrounding the West O'ahu campus. The University may consider other options that may include land sales with the intent that the proceeds would be applied against outstanding revenue bonds or loans, resulting in reducing its current debt service obligations within UH West Oahu's operating budget.

Should the University be required to obtain the Legislature's approval, the timely closing of any land transaction may be jeopardized, especially when the Legislature is in recess."

Your Committees believe that the University of Hawaii should be subject to the same legislative approval process when disposing of state lands as the Department of Land and Natural Resources, which also has occasion to expedite the transfer of state land.

Your Committees have amended this measure by adding the provisions of S.B. No. 2553, Regular Session of 2014, as conforming amendments to require legislative approval for the sale or gifting of the subject lands by the University of Hawaii.

As affirmed by the records of votes of the members of your Committees on Water and Land and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2676, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2676, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Water and Land  
and Higher Education,

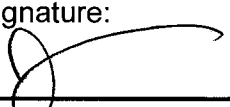
  
BRIAN T. TANIGUCHI, Chair

  
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 2676	WTL/HRE, WAM	2/5/14		
<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
SOLOMON, Malama (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
DELA CRUZ, Donovan M.				✓
IHARA, Jr., Les	✓			
RUDERMAN, Russell E.				✓
SHIMABUKURO, Maile S.L.				✓
TANIGUCHI, Brian				✓
THIELEN, Laura H.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>			<b>4</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

