

STAND. COM. REP. NO.

2408

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 3065
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 Economic Development, Government Operations and Housing, Water and Land, and Agriculture, to which was referred S.B. No. 3065 entitled:

"A BILL FOR AN ACT RELATING TO LAND EXCHANGE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the State to exchange certain lands for certain agricultural and conservation lands owned by the Dole Food Company, Inc., then transfer the acquired lands to various state agencies;
- (2) Expand the Kalaeloa Community Development District;
- (3) Establish the Whitmore project facility revenue bond special fund into which proceeds from revenue bonds shall be deposited for purchasing certain parcels of land from Dole Food Company, Inc.; and
- (4) Appropriate funds to acquire the specified lands owned by Dole Food Company, Inc.

Your Committees received testimony in support of this measure from the Agribusiness Development Corporation, Hawaii Rifle Association, Wahiawa Community and Business Association, The Trust for Public Land, Dole Food Company Hawaii, and two individuals. Your Committees received testimony in opposition to this measure

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from the Department of the Attorney General, Department of Land and Natural Resources, and Office of Hawaiian Affairs. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Hawaiian Home Lands, Hawaii Housing Finance and Development Corporation, University of Hawaii System, and University of Hawaii Board of Regents.

Your Committees find that in December of 2012, the State purchased 1,750 acres of agricultural land in central Oahu. Surrounding these lands are approximately twenty thousand acres of agricultural and conservation lands owned by Dole Food Company, Inc. These lands have been listed for sale at \$175,000,000.

Your Committees further find that there is a continuing need to protect and preserve unique natural assets, both for the enjoyment of future generations and to establish base lines for environmental impact. The present system of preserves, sanctuaries, and refuges must be strengthened, and additional areas of land suitable for agriculture and preservation should be set aside. These additional areas of land may contain rare species of plants and animals, portions of the State's major watershed areas, and prime agricultural lands.

Your Committees have amended this measure by:

- (1) Amending language in the findings to clarify that the purpose of this measure is to appropriate funds to investigate the possibility of exchanging state land for certain lands owned by Dole Food Company, Inc., and for costs of executing the exchange if appropriate state land is found;
- (2) Deleting language that would have required the State to exchange lands for certain agricultural and conservation lands owned by Dole Food Company, Inc.;
- (3) Deleting language that would have expanded the Kalaeloa Community Development District;
- (4) Deleting language that would have established the Whitmore project facility revenue bond special fund;
- (5) Deleting language that would have appropriated funds out of the Whitmore project facility revenue bond special

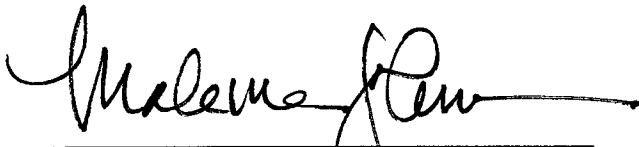


fund to acquire certain lands from Dole Food Company, Inc.;

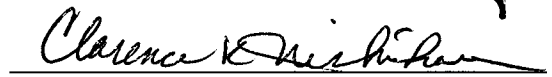
- (6) Inserting language to appropriate general revenues for fiscal year 2014-2015 to investigate the possibility of acquiring certain lands owned by Dole Food Company, Inc., and for costs of executing the exchange; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Economic Development, Government Operations and Housing, Water and Land, and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3065, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3065, S.D. 1, and be referred to the Committee on Ways and Means.

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


MALAMA SOLOMON, Chair

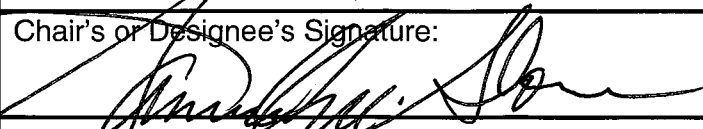

DONOVAN M. DELA CRUZ, Chair


CLARENCE K. NISHIHARA, Chair



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Twenty-Seventh Legislature
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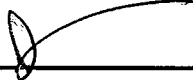
Record of Votes
Committee on Economic Development, Government Operations and Housing
EGH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB3065	EGH/NTL/AGL,WAM	2/11/14		
<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
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	0	0	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-Seventh Legislature
 State of Hawai'i

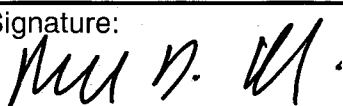
Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 3065	Committee Referral: EGH/WTL/AGL, WAM	Date: 2/11/14		
<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	✓			
TOTAL	6			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				

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The Senate
 Twenty-Seventh Legislature
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Record of Votes
Committee on Agriculture
AGL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3065	EGH / WTL / AGL, WAM	2/11/14		
<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
NISHIHARA, Clarence K. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
THIELEN, Laura H.	✓			
WAKAI, Glenn				✓
SLOM, Sam	✓			
TOTAL	6			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
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