

STAND. COM. REP. NO.

1441

Honolulu, Hawaii

APR 12 2013

RE: S.C.R. No. 21

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.C.R. No. 21 entitled:

"SENATE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE
OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE
BOARD OF LAND AND NATURAL RESOURCES ON A LAND EXCHANGE AND
SALE OF PROPERTY,"

begs leave to report as follows:

The purpose and intent of this measure is to provide
legislative review of the Board of Land and Natural Resources'
approval of a land exchange and sale of property, pursuant to
sections 171-50 and 171-64.7, Hawaii Revised Statutes.

Your Committee received written comments in support of this
measure from the Kunuiakea family. The Office of Hawaiian Affairs
submitted written comments.

At its meeting of June 8, 2012, under agenda item D-11, the
Board of Land and Natural Resources approved a land exchange and
sale of property pursuant to the stipulated final judgment on
title filed on April 12, 1996, and the stipulated judgment on
partition filed on April 1, 1997, in *Napoleon, et al., v. State of
Hawaii, et al.*, Civ. No. 92-0789, for land located at Kahananui,
Molokai, Hawaii, tax map keys: (2) 5-6-06:14; (2) 5-6-06:15; (2)
5-6-03:12; (2) 5-6-03:08; and (2) 5-6-03:10. Your Committee finds
that this measure satisfies the requirements of section 171-50,
Hawaii Revised Statutes, which provides that any exchange of
public land for private land shall be subject to disapproval by
the Legislature by two-thirds vote of either the Senate or the

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House of Representatives, or by majority vote of both chambers. Your Committee further finds that this measure satisfies the requirements of section 171-64.7, Hawaii Revised Statutes, which requires legislative approval by concurrent resolution prior to the sale of certain lands in fee simple.

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 concurs with the intent and purpose of S.C.R. No. 21 and recommends its adoption.

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.:* SCR 21	Committee Referral: WTL, WAM	Date: 4/5/13		
<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 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
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			✓	<i>MM</i>
TOTAL	2	7	3	21 <i>MM</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Suzanne Chun Oakland</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes