

STAND. COM. REP. NO.

1085

Honolulu, Hawaii

MAR 27 2015

RE: H.B. No. 515
H.D. 3
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Hawaiian Affairs and Water and Land, to which was referred H.B. No. 515, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO REMNANTS,"

beg leave to report as follows:

The purpose and intent of this measure is to clarify the definition of the term "remnant" and the requirements for the disposition of a remnant to ensure that any disposition complies with the State's constitutional mandate under the public lands trust.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs and Aha Moku Advisory Committee. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committees finds that this measure would promote transparency and place greater controls on the disposition of public lands that qualify as remnants. Your Committees received testimony asserting that this measure is warranted as the State has used a broad definition of the term "remnant" to dispose of ceded public trust lands without complying with statutory requirements including legislative approval.


Your Committees have amended this measure by:



- (1) Deleting the amendments to section 171-52(a), Hawaii Revised Statutes;
- (2) Amending section 171-52(b), Hawaii Revised Statutes, to prohibit the Board of Land and Natural Resources from disposing of a remnant if it finds the parcel contains:
 - (A) Natural or cultural resources necessary for the exercise of native Hawaiian subsistence, cultural, or religious practices pursuant to the state constitution;
 - (B) Natural resources that should be protected or conserved for the benefit of current or future generations; or
 - (C) Public access to public lands, such as beaches, coastal resources, or mountain resources; and
- (3) 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 Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 515, H.D. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 515, H.D. 3, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Water and Land,



LAURA H. THIELEN, Chair



MAILE S.L. SHIMABUKURO, Chair



