STAND. COM. REP. NO. 287 -22

Honolulu, Hawaii FEB 15 , 2022

RE: H.B. No. 2332 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2332 entitled:

"A BILL FOR AN ACT RELATING TO EASEMENTS,"

begs leave to report as follows:

The purpose of this measure is to exempt the granting of easements on public lands from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Cattlemen's Council, Inc.; Hawaii Farm Bureau; Hawaii Aquaculture & Aquaponics Association; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that this measure is intended in part to facilitate the transfer of non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture pursuant to Act 90, Session Laws of Hawaii 2003, where both agencies have agreed to the transfer but the lack of a documented easement across the land has impeded the transfer.



STAND. COM. REP. NO. 297-22 Page 2

Your Committee has amended this measure by:

- Allowing, rather than requiring, the granting of easements on public lands to be exempted from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements;
- (2) Allowing the government agency that grants the easements to notify in writing the county with jurisdiction to process and approve the easements of the government agency's intent to invoke this exemption;
- (3) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2332, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2332, H.D. 1, and be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Water & Land,

DAVID A. TARNAS, Chair



HSCR 287-22

## State of Hawaii House of Representatives The Thirty-first Legislature

## Record of Votes of the Committee on Water & Land

	Committee Referral: WAL, FIN Date: 2/10/2022			
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
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2. BRANCO, Patrick Pihana (VC)	<u> </u>			
			an a	
3. GANADEN, Sonny				
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4. KOBAYASHI, Bertrand				
5. KONG, Sam Satoru				
6. MORIKAWA, Dee	terrentitas da matemática de encara e e encara de encara en encara en encara en encara en encara en encara en e	n na harin ya kuna da Bara da Barata di Simbahini (ki Bali		
7. OHNO, Takashi			- This video Chuideanichail a gan	
				C
8. McDERMOTT, Bob				/
		- [		
TOTAL (8)	5			3
The recommendation is:       I Adopted       Not Adopted         If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				