

STAND. COM. REP. NO. 3487

Honolulu, Hawaii

MAR 24 2022

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Water and Land and Government Operations, to which was referred H.B. No. 2332, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EASEMENTS,"

beg leave to report as follows:

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

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Aquaculture and Aquaponics Association, and one individual. Your Committees received testimony in opposition to this measure from the Hawaii Land Surveyors Association and two individuals. Your Committees received comments on this measure from the Department of Agriculture and Department of Planning and Permitting of the City and County of Honolulu.

Your Committees find that pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90), both the Department of Land and Natural Resources and Department of Agriculture agreed to the transfer of non-agricultural park lands. Currently, some public agencies experience difficulties in obtaining various types of easements resulting from subdivision approval requirements for easements and



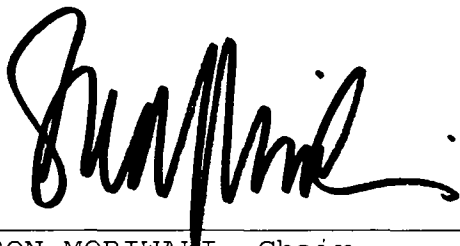
a costly, time-consuming process to survey and map the affected area. As some lands eligible for transfer under Act 90 are undeveloped, facilitating the jurisdictional transfer may allow for further utilization of state lands.

However, your Committees also note the concerns of the Hawaii Land Surveyors Association regarding easement exemptions. This measure, as drafted, would exempt all easements granted over public lands from formal county subdivision review which would further complicate use and development rights on public lands. Further, your Committees note the importance of facilitating the transfer of undeveloped state lands between the Department of Land and Natural Resources and Department of Agriculture for jurisdictional purposes. To promote the transfer of undeveloped lands between the Department of Land and Natural Resources and Department of Agriculture, limiting exemptions would allow for greater utilization of state lands.

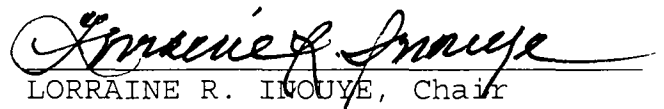
Accordingly, your Committees have amended this measure by limiting the exemption of easements granted over public lands from formal county subdivision process and approval requirements to those affecting the transfer of undeveloped public lands between the Department of Land and Natural Resources and Department of Agriculture, pursuant to Act 90, Session Laws of Hawaii 2003.

As affirmed by the records of votes of the members of your Committees on Water and Land and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2332, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2332, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Government Operations,



SHARON MORIWAKI, Chair



LORRAINE R. INOUE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

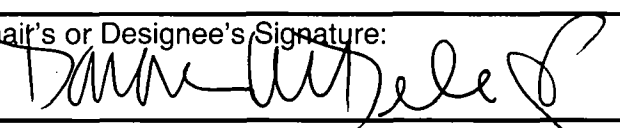
Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2332, HD1	WTL/GVO, WAM	3/22/22		
<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
INOUYE, Lorraine R. (C)	✓			
KEITH-AGARAN, Gilbert S.C. (VC)				✓
MISALUCHA, Bennette E.	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt				✓
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Bennette E. Misaluk</div>				
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
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:*	Committee Referral:	Date:			
HB2332, HD1	WTL/GVO, WAM	03/22/22			
<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	
MORIWAKI, Sharon Y. (C)	/				
DELA CRUZ, Donovan M. (VC)	/				
CHANG, Stanley	/				
GABBARD, Mike	/				
FEVELLA, Kurt				/	
TOTAL	4			1	
Recommendation:					
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Chair's or Designee's Signature:					
					
Distribution:					
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy		

*Only one measure per Record of Votes