

STAND. COM. REP. NO. 947

Honolulu, Hawaii

MAR 05 2021

RE: S.B. No. 257  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 257, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LEASE EXTENSIONS ON PUBLIC LAND,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to extend the leases of certain public lands.

More specifically, this measure:

- (1) Authorizes the Board of Land and Natural Resources to extend the rental period of a lease of public lands upon the Board's approval of a development agreement proposed by the lessee, or the lessee and developer, to make substantial improvements to the existing improvements; and
- (2) Establishes the requirements, conditions, and restrictions relating to the public lands lease extensions and the lease extension application and approval processes.



Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Prince Kuhio Plaza, and two individuals.

Your Committee received written comments in opposition to this measure from the Office of Hawaiian Affairs; Cinesthesia Investigation Analysis; Flores-Case Ohana; Ka Lahui Hawaii Komike Kalaiaina; Koolaupoko Hawaiian Civic Club; Kupuna for the Moopuna; Mauna Kea Anaina Hou and Kai Palaoa; Na Kupuna Moku O Keawe; Pele Lani Farm, LLC; Waimea Hawaiian Civic Club; and numerous individuals.

Your Committee finds that this measure will support long-term tenants who lease public lands and are seeking to continue their respective businesses beyond the maximum allowable lease term of sixty-five years. However, your Committee believes that it is more appropriate to proceed with a limited pilot project to determine the efficacy of authorizing the Board of Land and Natural Resources to extend leases of public lands.

Your Committee has amended this measure by:

- (1) Establishing the substantive provisions of this measure in session law, rather than statute;
- (2) Requiring the Board of Land and Natural Resources to establish a public lands lease extension pilot project;
- (3) Clarifying that the authority of the Board of Land and Natural Resources to extend the leases of certain public lands pursuant to this measure shall be:
  - (A) Through the public lands lease extension pilot project; and
  - (B) Limited to public lands located at TMK 2-2-047-006, TMK 2-2-047-066, TMK 2-2-047-069, or TMK 2-2-047-073, within the area designated by zip code 96720;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and



- (5) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

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 is in accord with the intent and purpose of S.B. No. 257, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 257, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



\_\_\_\_\_

DONOVAN M. DELA CRUZ, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 257, SD 1	WTL, WAM	3/4/21

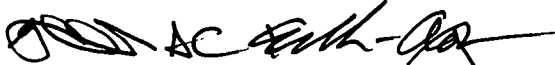
The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     
  Pass, with amendments 2311     
  Hold 2310     
  Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt			X	
<b>TOTAL</b>	<b>10</b>		<b>1</b>	

Recommendation:  Adopted       Not Adopted

Chair's or Designee's Signature:  


**Distribution:**      Original      Yellow      Pink      Goldenrod  
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\*Only one measure per Record of Votes