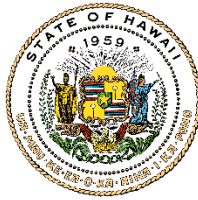
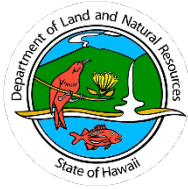


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
RYAN K.P. KANAKA'OLE
FIRST DEPUTY
DEAN D. UYENO
ACTING DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N.S. CHANG
Chairperson

Before the House Committees on
JUDICIARY & HAWAIIAN AFFAIRS
And
HEALTH & HOMELESSNESS

Tuesday, February 6, 2024
2:00 PM

State Capitol, Conference Room 325, Via Videoconference

In consideration of
HOUSE BILL 1942
RELATING TO CORPORATIONS

House Bill 1942 proposes to permit real property assets of a dissolved corporation to escheat to the State if a creditor, claimant, or shareholder of the corporation cannot be found; real property taxes and any state tax liens have remained unpaid for five years; and the State makes a showing that attempts to locate creditors, claimants, and shareholders of the dissolved corporation have been unsuccessful. **The Department of Land and Natural Resources (Department) opposes this measure.**

The Department is concerned that this measure provides for the automatic transfer of real property owned by dissolved corporations to the State under certain circumstances without any review and approval by the Board of Land and Natural Resources (Board) and the Attorney General. Pursuant to Section 171-30, Hawaii Revised Statutes (HRS), the Board has the authority to acquire real property for the State with approval by the Attorney General. As part of the acquisition process, the Department conducts extensive due diligence of the property subject to acquisition, including appraisal, land survey, title review and environmental and other hazards studies, along with necessary mitigation. This allows the Board to make an informed decision on whether to approve the acquisition in an open, public meeting. This bill would deprive the Department the opportunity to conduct the necessary due diligence and the Board the discretion on whether to approve the acquisition. This would lead to the State unknowingly assuming ownership of land with

potentially serious contamination or other hazardous conditions, potentially resulting in significant financial and legal liability.

Thank you for the opportunity to testify on this measure.

HB-1942

Submitted on: 2/5/2024 5:28:58 PM

Testimony for JHA on 2/6/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robi Solmssen	Marcus Property Management LLC	Support	Written Testimony Only

Comments:

My name is Robi Solmssen. I am the property manager for YIM AH LIN LLC (45-939 and 45-943 Kamehameha Hwy) and 45-270 William Henry LLC (45-270 William Henry Road). These three buildings and have been directly affected by the recent flooding. The State or City needs to step in and maintain this ditch. The stormdrains on Kamehameha flow directly into the ditch. Talking to residents in the area, the Highway, historically, never drained into the ditch. When Kam Hwy was repaved, the City added the drains into the ditch, but did not widen or make any improvements to the ditch to handle the increased water. The dirt and debris from Ben Parker Elementary School is constantly falling into the ditch. Improvements need to be made immediately before we experience another flood like we did in March of 2022. This should be addressed this session.

Sincerely,

Robi Solmssen

RS-58908

HB-1942

Submitted on: 2/5/2024 5:05:29 PM

Testimony for JHA on 2/6/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
logan freitas	Individual	Support	Written Testimony Only

Comments:

I support this bill because it affects our neighborhood that live on the backside of Ben Parker Elementary. There is an old "auwai" that runs behind it that gives us nothing but trouble because the homeless live under the bridge and toss all kinds of rubbish in the auwai. When it rains it all flows down to our properties. We are told that there is "NO OWNERSHIP" of the stretch of land that sits under the Kam Hwy. bridge. I hope the state sees it important to take this land over and maintain the cleanliness of it, not just for us neighbors, but for the ocean and pollution as well as all this water and trash heads directly to Kaneohe Bay and pollutes the ocean. It also creates a health hazard as it attracts mosquitos and frogs in the auwai because the trash makes little pools of sitting water all down the auwai. We are depending on the state for help in this matter. Thanks.

HB-1942

Submitted on: 2/5/2024 8:37:38 PM

Testimony for JHA on 2/6/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janis Y Chun	Individual	Support	Written Testimony Only

Comments:

I, Janis Y Chun, am in favor of and support HB1942. because it affects not only our property but all the neighbors abutting the ditch in Kaneohe. I agree that the State should be able to take possession of the ditch and maintain it. Because of the overgrowth and debri it has caused flooding to the residences along the ditch and Wm. Henry Rd. In Kaneohe.

Sincerely,

Janis Y Chun

HB-1942

Submitted on: 2/5/2024 9:28:24 PM

Testimony for JHA on 2/6/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherron DeCosta	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill due the fact that if not only affects my home but also people in my communities homes as well.

HB-1942

Submitted on: 2/6/2024 7:26:42 AM

Testimony for JHA on 2/6/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anthony Pitt	Individual	Support	Written Testimony Only

Comments:

I support this bill because it affects my property