

STAND. COM. REP. NO. **2322**

Honolulu, Hawaii

FEB 14 2024

RE: S.B. No. 3160
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 3160 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish a statutory framework for inspections of public land leases, licenses, and revocable permits by the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and one individual.

Your Committee finds that under chapter 171, Hawaii Revised Statutes, and the various land dispositions approved by the Board of Land and Natural Resources, the Department of Land and Natural Resources (Department) has the authority to periodically inspect the premises under lease, license, or revocable permit. However, the Department land agents are typically not architects, engineers, or licensed contractors and may not be qualified to identify components of existing structures on the premises in need of repair or replacement. The House Investigative Committee, established under House Resolution No. 164 of the 2021 Regular Session, recommended that the Department require lessees to pay for third-party inspectors selected by the Department to conduct




physical inspections of the leased property every five years. If the third-party inspector finds any defaults with the lease terms, the lessee shall be required to take any corrective actions recommended by the inspector. This measure will conserve the Department's limited funds by avoiding situations where a lease, license, or revocable permit expires or is terminated with dilapidated improvements on it.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3160, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3160, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUÉ, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 3160	Committee Referral: WTL, JDC/WAM	Date: 02/09/24		
<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)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	ϕ	ϕ	ϕ
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

***Only one measure per Record of Votes**