

STAND. COM. REP. NO. 1217

Honolulu, Hawaii

MAR 21 2025

RE: H.B. No. 1141
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.B. No. 1141, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO UPDATING PUBLIC LAND LEASES
ISSUED PURSUANT TO CHAPTER 171, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose and intent of this measure is to require that lease extensions approved by the Board of Land and Natural Resources be drafted on forms that reflect contemporary leasing practices and policies of the Board, and which shall control over conflicting or inconsistent provisions in the lease being extended.

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

Your Committee received comments on this measure from one individual.

Your Committee finds that existing law does not allow the Board of Land and Natural Resources (Board) to update the terms and conditions of leases using the most current lease form for lease extensions approved by the Board. Your Committee further finds that the Board's inability to update lease terms and



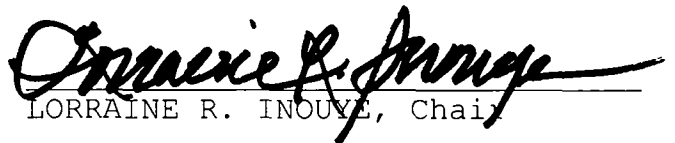
conditions deprives the public of a fair return for the use of public lands and could also lead to potential additional liability against the State under certain conditions. Accordingly, this measure ensures that extended leases must be drafted according to the most current Board-approved terms and conditions.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2040, 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 H.B. No. 1141, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1141, H.D. 1, 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. INOUE, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

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|--|--|--------------------------|-----|---------|
| Bill / Resolution No.:* HB 1141 HD1 | Committee Referral: WTL, JDC/WAM | Date: 03/14/25 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div> | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| INOUE, Lorraine R. (C) | ✓ | | | |
| ELEFANTE, Brandon J.C. (VC) | ✓ | | | |
| CHANG, Stanley | ✓ | | | |
| MCKELVEY, Angus L.K. | | | | ✓ |
| DECORTE, Samantha | ✓ | | | |
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| TOTAL | 4 | 0 | 0 | 1 |
| Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div> | | | | |
| Chair's or Designee's Signature: | | | | |
| <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="text-align: center;"> Distribution: Original File with Committee Report </div> <div style="text-align: center;"> Yellow Clerk's Office </div> <div style="text-align: center;"> Pink Drafting Agency </div> <div style="text-align: center;"> Goldenrod Committee File Copy </div> </div> | | | | |

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