

STAND. COM. REP. NO. 1295 -08

Honolulu, Hawaii

March 20, 2008

RE: S.B. No. 2997
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Water, Land, Ocean Resources & Hawaiian Affairs, to which was referred S.B. No. 2997, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LAND USE,"

begs leave to report as follows:

The purpose of this bill is to create a process for the transfer of development rights between properties using a transfer development rights bank.

For purposes of taking testimony at the public hearing, your Committee circulated a proposed H.D. 1 version that deletes the provisions of this bill and inserts new language establishing historic agricultural landmarks.

A concerned individual testified in support of the proposed H.D. 1 bill. The Office of Planning supported the intent of the proposed measure. The Chamber of Commerce of Hawaii opposed the proposed bill. The Department of Land and Natural Resources, City and County of Honolulu, Department of Planning and Permitting, Alexander & Baldwin, Inc., Hawaiian Commercial & Sugar Company, and Kauai Coffee Company, Inc., provided comments.

SB2997 HD1 HSCR WLH HMS 2008-3216



Your Committee finds that the preservation of lands with scenic, historical, recreational, and cultural value is vital to our state. The language inserted as the H.D. 1 would provide an effective means of ensuring the long-term availability of visually, culturally, and historically valuable lands, such as the pineapple fields of the Galbraith Trust located north of Wahiawa, Oahu, without the necessity of an outright acquisition by:

- (1) Allowing the designation of certain agricultural lands as historic agricultural landmarks because of their special historic, cultural, and visual value to the state;
- (2) Providing incentives for historic agricultural landmarks similar to the proposed incentives for important agricultural lands under section 205-46, Hawaii Revised Statutes;
- (3) Providing that historic agricultural landmarks can only be designated by law; and
- (4) Establishing standards and criteria for reclassification or rezoning.

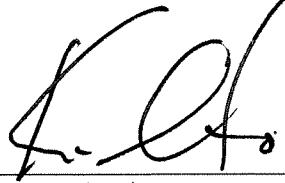
The H.D. 1 also designates certain Galbraith Trust lands as a historic agricultural landmark.

Finally, your Committee has further amended the H.D. 1 by changing the effective date to July 1, 2020, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water, Land, Ocean Resources & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2997, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2997, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land, Ocean
Resources & Hawaiian Affairs,



KEN ITO, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCP 1299-08

Record of Votes of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

Bill/Resolution No.: SB 2997 SD 1	Committee Referral: WLH, JUD	Date: 3/19/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WLH Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	✓			
2. KARAMATSU, Jon Riki (VC)	✓			
3. CARROLL, Mele	✓			
4. MAGAOAY, Michael Y.	✓			
5. MORITA, Hermina M.	✓			
6. SAGUM, Roland D., III	✓			
7. SAIKI, Scott K.	✓			
8. THIELEN, Cynthia		✓		
TOTAL (8)	7	1		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ <i>K. [Signature]</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				