

Honolulu, Hawaii

FEB 14 2007

RE: S.B. No. 1923
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred S.B. No. 1923 entitled:

"A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE, "

begs leave to report as follows:

The purpose of this measure is to preserve and protect state lands by requiring legislative approval of any exchange of lands under the control of any state department or agency for private lands.

Specifically, this measure requires that a state department or agency:

- (1) Obtain approval of the Legislature by at least two-thirds majority vote of the members of each house prior to the exchange of land; and
- (2) Submit a concurrent resolution with specific information on the land and the action proposed for introduction to the Legislature for its review prior to the exchange of land.

Testimony in support of this measure was submitted by the Office of Hawaiian Affairs. Testimony in opposition to this measure was submitted by the Department of Land and Natural Resources and the Department of Transportation. The Department of Hawaiian Home Lands submitted comments.



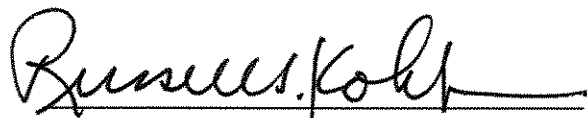
Various state departments and agencies are authorized to exchange land under their control for private land. Your Committee finds that although these state departments and agencies have the authority to enter into contracts for the exchange of land, seeking legislative approval prior to exchanging land will ensure that state land will be used and remain for public purposes and benefits.

Your Committee has amended this measure by:

- (1) Deleting the new section under chapter 27, Hawaii Revised Statutes, and inserting a modified version of the new section under chapter 171, Hawaii Revised Statutes, as this chapter relates to public lands; and
- (2) Clarifying the scope of public lands that are subject to the new section under chapter 171, Hawaii Revised Statutes.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1923, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1923, S.D. 1, and be referred to the Committee on Ways and Means.

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



RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WAH

Bill / Resolution No.:* <i>S.B. 1923</i>	Committee Referral: <i>WAH, WAM</i>	Date: <i>2/12/07</i>		
<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
KOKUBUN, Russell S. (C)	/			/
TOKUDA, Jill N. (VC)	/			
FUKUNAGA, Carol	/			
HEE, Clayton	/			
SLOM, Sam	/			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clayton Hee</i>				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes