

STAND. COM. REP. NO.

348

Honolulu, Hawaii

FEB 18 2011

RE: S.B. No. 1530
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Tourism and Water, Land, and Housing, to which was referred S.B. No. 1530 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LANDS,"

beg leave to report as follows:

The purpose of this measure is to authorize the Department of Land and Natural Resources to extend leases of public lands for commercial, hotel, resort, or industrial use upon the approval of a development agreement to make substantial improvements to the premises. The intent of this measure is to provide incentives for lessees of public land to reinvest in their premises.

Your Committees received testimony in support of this measure from the Hawai'i Tourism Authority. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committees received comments on this measure from the Office of Hawaiian Affairs.

Your Committees find that one of the key ways to increase tourism in Hawaii is to improve the physical infrastructure that supports the tourism industry. This measure will provide current lessees of public land designated for certain uses with added incentives to make long-term investments in these properties.

Prior to decision making, your Committees considered proposed amendments to this measure that address some of the concerns regarding the Department of Land and Natural Resources' lack of



funding to perform the additional responsibilities required under this measure.

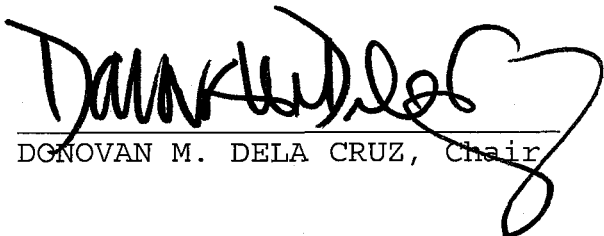
Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and adopting the proposed amendments, which:
 - (A) Describe legislative findings and the necessity and purpose of this measure;
 - (B) Limit the types of uses for which lease extensions may be authorized under this measure to hotel and resort use and defining that term;
 - (C) Require that any lease extension granted pursuant to this measure be subject to and include the most current lease form and leasing practices and policies of the Board of Land and Natural Resources; and
 - (D) Require applicants for lease extensions under this measure to pay for all costs and expenses incurred by the Department of Land and Natural Resources in processing, analyzing, and negotiating lease extensions and relevant documents;
- (2) Inserting an effective date of July 1, 2050, to allow for further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Tourism and Water, Land, and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1530, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1530, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Tourism and
Water, Land, and Housing,


DIGNOVAN M. DELA CRUZ, Chair


DONNA MERCADO KIM, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i


Record of Votes
Committee on Tourism
TSM

Bill / Resolution No.:* SB 1530	Committee Referral: TSM/WLH, WAM	Date: 2/15/11		
<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
KIM, Donna Mercado (C)	✓			
KOUCHI, Ronald D. (VC)				✓
GALUTERIA, Brickwood	✓			
KAHELE, Gilbert	✓			
SLOM, Sam	✓			
TOTAL	4			1
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

The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land, and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1530	TSM/WLH, WAM	2-15-11		
<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
DELA CRUZ, Donovan M. (C)	/			
SOLOMON, Malama (VC)	/			
FUKUNAGA, Carol				✓
RYAN, Pohai	/			
SHIMABUKURO, Maile				✓
TOKUDA, Jill N.	/			
SLOM, Sam				✓
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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