

Honolulu, Hawaii
February 11, 2014

RE: H.B. No. 1617
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1617 entitled:

"A BILL FOR AN ACT RELATING TO THE DEFINITION OF REMNANTS,"

begs leave to report as follows:

The purpose of this measure is to amend the definition of remnant for purposes of public land disposition by the Department of Land and Natural Resources to limit the types of public land that the Department may sell without recourse to public auction or legislative oversight.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; The Sierra Club, Hawaii Chapter; Ko'olaupoko Hawaiian Civic Club; and many individuals. The Department of Land and Natural Resources submitted testimony in opposition.

Your Committee has amended this measure by:


- (1) Clarifying that the Department must consider the current and future development potential of land and adhere to the State Constitution's mandate to conserve and protect natural resources for the benefit of current and future generations when designating a parcel of land as a remnant;



- (2) Specifying that land determined by the Attorney General to present a significant and unavoidable risk of liability to the State may be considered for designation as a remnant;
- (3) Prohibiting the designation of culturally significant land as a remnant;
- (4) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (5) 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 & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1617, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1617, H.D. 1, and be referred to the Committee on Finance.

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


CINDY EVANS, Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

HSCR 341-14

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1617	Committee Referral: WAL, FIN	Date: 2-7-14		
<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)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	/			
2. LOWEN, Nicole E. (VC)	/			
3. CULLEN, Ty J.K.	/			
4. HANOHANO, Faye P.			✓	
5. KAWAKAMI, Derek S.K.		/		
6. LEE, Chris	/			
7. SAY, Calvin K.Y.		/		
8. NISHIMOTO, Scott Y.	/			
9. FALE, Richard Lee		/		
10. THIELEN, Cynthia	/			
TOTAL (10)	6	3	1	
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Muse E...</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				