

STAND. COM. REP. NO. 976 -14

Honolulu, Hawaii
March 13, 2014

RE: S.B. No. 3122
S.D. 2
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 S.B. No. 3122, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to authorize the Office of Hawaiian Affairs to pursue authorization to conduct residential development and to impose association fees on certain parcels of land in the Kakaako Makai area that were transferred to the Office through Act 15, Session Laws of Hawaii 2012, as part of the settlement of claims related to public trust lands revenues.

The Office of Hawaiian Affairs, Association of Hawaiian Civic Clubs, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, and several individuals submitted testimony in support of this measure. Kaka'ako United, Ho'okipa Network - Kauai, Hawaii's Thousand Friends, and numerous individuals submitted testimony in opposition to this measure. The Department of the Attorney General and several individuals submitted comments.

Your Committee notes that, based on discussion of this measure, it appears that the State has invested significant funds in infrastructure for the benefit of new development in the Kakaako Makai area. Your Committee further notes that the State's

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contemporaneous appraisal of the value of the lands in Kakaako Makai transferred to the Office of Hawaiian Affairs pursuant to Act 15, Session Laws of Hawaii 2012, included assumptions that appear to imply that residential development of the area was contemplated at that time.

Your Committee has amended this measure by:

- (1) Inserting blank references for identified parcels of land subject to this measure;
- (2) Inserting a blank number for the height restriction applicable to residential development on certain parcels of land subject to this measure; and
- (3) Making technical, nonsubstantive amendments for the purpose of consistency.

It is the intent of your Committee that the blank value contained in this measure for the height restriction for residential development should not suggest that your Committee supports a higher limit than is currently applicable in this area.

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 S.B. No. 3122, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3122, S.D. 2, H.D. 1, and be referred to the Committee on Ocean, Marine Resources, & Hawaiian Affairs.

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

HSR936-14

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: SB3122, SD2	Committee Referral: WAL, OMT, FIN	Date: 3-10-14		
<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)	7	0	0	3
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: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Mur E. Lowe</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				