

Honolulu, Hawaii

FEB 12 2019

RE: S.B. No. 838  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 838 entitled:

"A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase the percentage of the land conservation fund that may be used for costs related to the operation, maintenance, and management of lands acquired by the fund; and
- (2) Increase the maximum dollar amount of the conveyance tax distribution to the land conservation fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, The Nature Conservancy, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, The Trust for Public Land, and two individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the State dedicates a portion of its annual revenue from real estate conveyance taxes to the land conservation fund. Each year, the Legislature provides the legacy land conservation program with some of the money held in the fund,



which then distributes this money through a competitive grants process for purchasing land and conservation easements and for paying the debt service on state financial instruments for the protection of agricultural, coastal, cultural, and historical resources; habitats, natural areas, and open, scenic spaces; and parks, recreation, and watershed resources.

Your Committee has amended this measure by:

- (1) Inserting an appropriation from the land conservation fund for the 2019-2021 fiscal biennium to the Department of Land and Natural Resources for resource land acquisition;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) 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 and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 838, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 838, S.D. 1, and be referred to your Committee on Ways and Means.

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



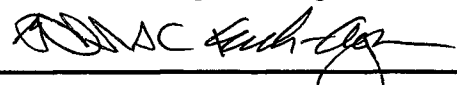
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KAIULANI KAMELE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB 838</b>	Committee Referral: <b>WTL, WAM</b>	Date: <b>2/6/2019</b>		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original            Yellow            Pink            Goldenrod File with Committee Report            Clerk's Office            Drafting Agency            Committee File Copy				

\*Only one measure per Record of Votes