

Honolulu, Hawaii

April 29, 2008

RE: H.B. No. 2872  
S.D. 2  
C.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2872, S.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to ensure the timely maintenance and repair of recreational cabins of historic and cultural importance at the Koke'e and Waimea Canyon State Parks by amending the procedure for leasing state park or forest reserve lands for recreation-residence use. Specifically, this bill allows the Board of Land and Natural Resources (BLNR) to offer by public auction 20-year maximum leases, and allow the most recent occupant to match the winning bid. This bill also allows BLNR to limit this public auction to full-time Hawaii residents, and impose restrictions on the transferability of the leases.



Your Committee on Conference has amended this bill by, among other things:

- (1) Replacing the statutory authorization to BLNR to offer leases by public auction with a one-time process for the offering of 20-year minimum term recreation-residence use leases on public lands at state parks or state forest reserves in counties with a population of less than 100,000 to existing leaseholders by direct negotiation within three months of the effective date of this Act;
- (2) Requiring that the one-time lease offerings be based on market rates for land and buildings pursuant to section 171-17(b), Hawaii Revised Statutes, relating to appraisals, and allowing existing lessees to provide counter-offers based on their own certified appraisals; and
- (3) Establishing a Koke'e State Park Advisory Council to:
  - (A) Assist with the updating, revision, and implementation of the Koke'e State Park Master Plan;
  - (B) Assist in the management of the Koke'e recreational cabin leases;
  - (C) Enhance community education and cultural awareness of Koke'e State park; and
  - (D) Participate in the protection and preservation of Koke'e State Parks' natural and cultural resources.

It is the intent of your Committee on Conference for the provisions in this bill to apply not only to lessees under current leases, but also those lessees who are currently occupying the land even though their leases have expired and may currently be holdover tenants.



As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2872, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2872, S.D. 2, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

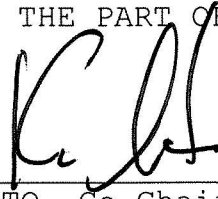


CLAYTON HEE, Chair



ROSALYN H. BAKER, Co-Chair

ON THE PART OF THE HOUSE



KEN ITO, Co-Chair



JON RIKI KARAMATSU, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 2872, SD 2	Date/Time: 4/24/08 10:10 Am
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The recommendation of the House and Senate managers is to pass with amendments (CD).

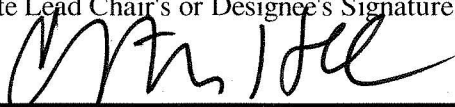
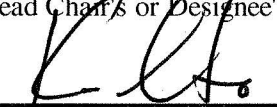
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HEE, Clayton, Chr.	✓				ITO, Ken, Co-Chr.	✓			
BAKER, Rosalyn H., Co-Chr.	✓				KARAMATSU, Jon Riki, Co-Chr.	✓			
WHALEN, Paul	✓				SAGUM, Roland D., III	✓			
					MEYER, Colleen Rose				
TOTAL	3				TOTAL	3			1

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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Distribution:      Original      Yellow      Pink      Goldenrod  
 File with Conference Committee Report      House Clerk's Office      Senate Clerk's Office      Drafting Agency