

Honolulu, Hawaii

MAY 01 2015

RE: S.B. No. 284  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 284, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX,"

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 measure is to protect and preserve important natural resources in the State by:

- (1) Assisting in the acquisition of a conservation easement in Turtle Bay, Oahu; provided that there is a contract to acquire the Turtle Bay conservation easement by December 31, 2015. Among other things, this measure:
  - (A) Allocates transient accommodations tax (TAT) revenues to the Turtle Bay Conservation Easement Special Fund;



- (B) Authorizes the Department of Budget and Finance to issue reimbursable general obligation bonds used to acquire the conservation easement;
  - (C) Requires the Department of Budget and Finance to transfer the conservation easement to the Department of Land and Natural Resources; and
  - (D) Annually allocates TAT revenues to the Department of Budget and Finance to reimburse the general fund regarding the reimbursable general obligation bonds; and
- (2) Requiring the Office of Planning to investigate the possible acquisition or exchange of lands owned by Dole Food Company, Inc. for agricultural production.

Your Committee on Conference has amended this measure by:

- (1) Authorizing the Department of Budget and Finance to issue \$35,000,000 in reimbursable general obligation bonds and to deposit the proceeds into the Turtle Bay Conservation Easement Special Fund;
- (2) Appropriating \$35,000,000 out of the Turtle Bay Conservation Easement Special Fund to finance the acquisition of the conservation easement and other real property interests at Turtle Bay, Oahu (Turtle Bay Easement);
- (3) Allocating TAT revenues of \$1,500,000 annually to the Turtle Bay Conservation Easement Special Fund;
- (4) Providing that a nonprofit land conservation organization file an application annually with the Board of Land and Natural Resources requesting \$1,500,000 from the Land Conservation Fund to be used for the reimbursement of debt service on the Turtle Bay reimbursable general obligation bonds;
- (5) Appropriating \$3,000,000 out of the Turtle Bay Conservation Easement Special Fund to reimburse the state general fund for payment of debt service on the reimbursable general obligation bonds;



- (6) Appropriating \$500,000 from TAT revenues to the Department of Land and Natural Resources to pay for appraisal, due diligence, and closing costs relating to the acquisition of the Turtle Bay Easement;
- (7) Removing the provision requiring the Office of Planning to investigate the possible acquisition or exchange of lands owned by Dole Food Company, Inc. for agricultural production;
- (8) Making the provision exempting the Turtle Bay Conservation Easement Special Fund from sections 36-27 and 36-30, Hawaii Revised Statutes, take effect on July 1, 2015; and
- (9) Making other technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee on Conference notes that this measure requires a nonprofit land conservation organization to file an application annually with the Board of Land and Natural Resources requesting a \$1,500,000 grant from the Land Conservation Fund to be used for the reimbursement of debt service on the Turtle Bay reimbursable general obligation bonds until such bonds are fully amortized. Your Committee on Conference understands that the Trust for Public Land will be the nonprofit land conservation organization filing such applications. While one Legislature cannot bind another Legislature, your Committee on Conference respectfully requests that future legislators monitor the diligence and efforts of the Trust for Public Land to secure such grants.

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 S.B. No. 284, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 284, S.D. 2, H.D. 2, C.D. 1.




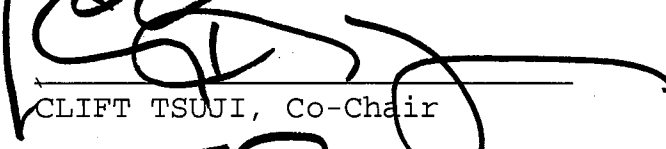
Respectfully submitted on behalf  
of the managers:


ON THE PART OF THE HOUSE


ON THE PART OF THE SENATE


  
\_\_\_\_\_  
RYAN T. YAMANE, Co-Chair

  
\_\_\_\_\_  
GILBERT KAHELE, Chair

  
\_\_\_\_\_  
CLIFT TSUI, Co-Chair

  
\_\_\_\_\_  
LAURA H. THIELEN, Co-Chair

  
\_\_\_\_\_  
TOM BROWER, Co-Chair

  
\_\_\_\_\_  
JILL N. TOKUDA, Co-Chair

  
\_\_\_\_\_  
SYLVIA LUKE, Co-Chair



## Hawaii State Legislature

CLR 167

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 284, SD 2, HD 2</b>					Date/Time: <i>01 MAY 2015 / 5:22 pm</i>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> 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.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KAHELE, Gilbert, Chr.	/				YAMANE, Ryan I., Co-Chr.	/			
THIELEN, Laura H., Co-Chr.	/				TSUJI, Clift, Co-Chr.	/			
TOKUDA, Jill N., Co-Chr.	/				BROWER, Tom, Co-Chr.	/			
ENGLISH, J. Kalani	/				LUKE, Sylvia, Co-Chr.	/			
SLOM, Sam	/				CULLEN, Ty J.K.	/			
					YAMASHITA, Kyle T.				/
					POUHA, Feki	/			
TOTAL	5				TOTAL	6			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				
Senate Lead Chair's or Designee's Signature: <i>X [Signature]</i>					House Lead Chair's or Designee's Signature: <i>[Signature]</i>				
Distribution:      Original      Yellow      Pink      Goldenrod File with Conference Committee Report      House Clerk's Office      Senate Clerk's Office      Drafting Agency									