

STAND. COM. REP. NO.

1293

Honolulu, Hawaii

APR 15 2011

RE: S.C.R. No. 159
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred
S.C.R. No. 159, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF
HAWAIIAN HOME LANDS TO RELEASE PASTORAL AND AGRICULTURAL
LEASES TO ITS BENEFICIARIES AND REPORT STATISTICAL DATA
RELATED TO IMPLEMENTATION OF ARTICLE XII, SECTION 1 OF THE
HAWAII STATE CONSTITUTION,"

begs leave to report as follows:

The purpose and intent of this measure is to urge the
Department of Hawaiian Home Lands to release pastoral and
agricultural leases to its beneficiaries and to report to the
Legislature statistical data related to implementation of Article
XII, Section 1 of the Hawaii Constitution.

Your Committee finds that pastoral and agricultural leases
are important, valuable, and viable uses of Hawaiian home lands.
Your Committee further finds that providing greater access to
ancestral lands is one way to improve the condition of native
Hawaiians.

Your Committee has amended this measure by:

- (1) Adding language that references the court order in *Lum v. Hawaiian Homes Commission*, Civil No. 09-1-2332-10 (1st Cir. Ct. Haw., Oct. 10, 2010), which ordered the Hawaiian Homes Commission to adopt rules pursuant to



chapter 91, Hawaii Revised Statutes, before awarding any further pastoral homestead lands; and

- (2) Requesting the Department of Hawaiian Home Lands to take immediate action to comply with the court order in *Lum v. Hawaiian Homes Commission*.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 159, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 159, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 159, SDI	HWN, WAM	4-13-11		
<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
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.	/			
ENGLISH, J. Kalani				/
ESPERO, Will				/
FUKUNAGA, Carol	/			
KIM, Donna Mercado				/
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			
RYAN, Pohai	/			
TOKUDA, Jill N.				/
WAKAI, Glenn	/			
SLOM, Sam	/			
TOTAL	10	0	0	4
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kalani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes