

Honolulu, Hawaii
Feb 17 , 2012

RE: H.B. No. 2820
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
H.B. No. 2820, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS,"

begs leave to report as follows:

The purpose of this measure is to require the Department of
Land and Natural Resources to establish the east Honolulu fishpond
heritage area.

The Office of Hawaiian Affairs, Department of Transportation,
Kuliouou/Kalani Iki Neighborhood Board #2, Association of Hawaiian
Civic Clubs, Livable Hawaii Kai Hui, Kuakini Hawaiian Civic Club
of Kona, Sovereign Councils of the Hawaiian Homelands Assembly,
Hawaii Farmers Union United, and several concerned individuals
supported the measure. The Maunalua Fishpond Heritage Center and
the Aha Moku Advisory Committee supported the measure with
amendments.

Your Committee has amended this measure by:

- (1) Adding as Part II of this measure the contents of H.B.
No. 377 H.D. 2 from the 2011 legislative session, which
provides state lease preferences for the reconstruction,
restoration, repair, or use of Hawaiian fishponds;
- (2) Prohibiting leases of public land containing existing or
Hawaiian fishponds or a site of a traditional fishpond



if the terms of the lease preclude or foreclose the use of the land as a Hawaiian fishpond, or loko i'a;

- (3) Adding a provision that requires the Board of Land and Natural Resources to provide preference to the retention of the traditional name of a kanaka maoli fishpond, or loko i'a;
- (4) Clarifying that the Hawaiian fishponds and kanaka maoli fishponds are also generally referred to as loko i'a in the Hawaiian language;
- (5) Adding a provision that requires all Hawaiian fishponds held as public lands under the jurisdiction of the Department of Land and Natural Resources to be held in trust and transferred to a Native Hawaiian government upon the establishment of such a government;
- (6) Changing the effective date to July 1, 2012; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2820, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2820, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Hawaiian Affairs,



FAYE HANCHANO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 594-12

Record of Votes of the Committee on Hawaiian Affairs

Bill/Resolution No.: HB 2820 HD1	Committee Referral: WLO, HAW, FIN	Date: 2/15/12		
<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)				
HAW Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)	✓			
2. LEE, Chris (VC)				✓
3. BELATTI, Della Au				✓
4. JORDAN, Jo	✓			
5. MIZUNO, John M.				✓
6. MORIKAWA, Dee	✓			
7. WOOLEY, Jessica	✓			
8. YAMANE, Ryan I.	✓			
9. PINE, Kymberly Marcos				✓
10. WARD, Gene	✓			
TOTAL (10)	6			4
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: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align: center; font-size: 18pt; font-family: cursive;">[Signature]</div>				
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