

Honolulu, Hawaii

FEB 06 2020

RE: S.B. No. 2265  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred  
S.B. No. 2265 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Micro Enterprise Assistance Program on Hawaiian home lands revolving fund to provide grants and loans through the implementation of the Micro Enterprise Assistance Program to qualified native Hawaiians, native Hawaiian-controlled homestead associations, and homestead association community development corporations; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations and one individual. Your Committee received testimony in opposition to this measure from the Center of Hawaiian Sovereignty Studies and two individuals. Your Committee received comments on this measure from Department of Attorney General and Department of Hawaiian Home Lands.



Your Committee finds that when Hawaii was admitted to the Union, the Hawaii Admission Act of 1959 transferred complete responsibility of the Hawaiian Homes Commission Act and Hawaiian home lands from the federal government to the State. One of the goals of the Hawaiian Homes Commission Act that the State agreed to undertake was to enable native Hawaiians to live self-sufficient lives on the Hawaiian home lands. This measure is intended to help achieve that goal by providing grants and loans to qualifying native Hawaiians, native Hawaiian-controlled homestead associations, and homestead association community development corporations.

Your Committee heard compelling testimony from the Sovereign Council Of Hawaiian Homestead Associations about whether the Department of Business, Economic Development, and Tourism has better expertise than the Department of Hawaiian Home Land regarding the purposes of this Act. Your Committee acknowledges that the Sovereign Council Of Hawaiian Homestead Associations has a valid point, but notes that there is a measure, H.B. 1402, H.D. 1, S.D. 1, (Regular Session of 2019) that carried over from the 2019 legislative session that is still alive that houses the program under the Department of Business, Economic Development, and Tourism. This means there are two versions of the measure, one that houses the program in the Department of Business, Economic Development, and Tourism and one that houses the program in the Department of Hawaiian Home Lands, and hopefully between the two measures one can survive and be funded as this program is a good concept.

Accordingly, your Committee has amended this measure by:

- (1) Amending section 213 of the Hawaii Homes Commission Act to establish the micro enterprise assistance program on Hawaiian home lands revolving fund rather than in chapter 210D of the Hawaii Revised Statutes and making conforming amendments; and
- (2) Clarifying that the Micro Enterprise Assistance Program on Hawaiian Home Lands Revolving Fund be administered by the Department of Hawaiian Home Lands to provide grant and loans notwithstanding any provision in the section to the contrary;



- (3) Clarifying that the Micro Enterprise Assistance Program on Hawaiian Home Lands Revolving Fund is to provide grants and loans to qualified native Hawaiians as defined by the Hawaiian Homes Commission Act of 1920 pursuant to article XII of the state constitution;
- (4) Clarifying that the Micro Enterprise Assistance Program on Hawaiian Home Lands Revolving Fund is to provide grants and loans to native Hawaiian-controlled homestead associations with members who are qualified native Hawaiians as defined by the Hawaiian Homes Commission Act of 1920 pursuant to article XII of the state constitution;
- (5) Including native Hawaiian community organizations with a demonstrated ability and history of making and administering loans and providing support to qualified native Hawaiians as defined by the Hawaiian Homes Commission Act of 1920 pursuant to article XII of the state constitution as eligible recipients of grants and loans pursuant to this Act;
- (6) Adding a definition for "micro enterprise assistance program"; and
- (7) 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 Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2265, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2265, S.D. 1, and be referred to your Committee on Ways and Means.

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



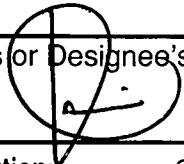
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MAILE S.L. SHIMABUKURO, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Hawaiian Affairs**  
**HWN**

Bill / Resolution No.:* <b>SB 2265</b>	Committee Referral: <b>HWN, WAM</b>	Date: <b>1/28/20</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
SHIMABUKURO, Maile S.L. (C)	✓			
KAHELE, Kaiali'i (VC)	✓			
IHARA, Jr., Les	✓			
KEOHOKALOLE, Jarrett				✓
FEVELLA, Kurt	<del>✓</del> FK	✓		
<b>TOTAL</b>	<b>43</b>	<b>1</b>		<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; margin-top:10px;">  </div>				
<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