

STAND. COM. REP. NO. 195

Honolulu, Hawaii

FEB 12 2021

RE: S.B. No. 1323
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
S.B. No. 1323 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN
HOME LANDS,"

begs leave to report as follows:

The purpose and intent of this measure is to require the
Department of Hawaiian Home Lands to develop a strategic plan
based on a comprehensive assessment of the needs of beneficiaries
to devise and implement coordinated long-term solutions for
eliminating the waiting list for a home land lease with an
emphasis on leveraging its trust resources, statutory powers, and
other means of state funding and support to focus on lot
development and distribution.

Your Committee received comments on this measure from the
Department of Hawaiian Home Lands and one individual.

Your Committee finds that more than two thousand native
Hawaiian beneficiaries have died while on the Hawaiian homes
waiting list for a home land lease, and twenty-eight thousand
beneficiaries currently remain on the waitlist, half of which are
over the age of sixty. Additionally, the Department of Hawaiian
Home Lands recently estimated that to house all the beneficiaries
of the waitlist, cost projections range between for \$4,000,000,000
to \$12,000,000,000 for infrastructure alone. Your Committee finds



that the Department of Hawaiian Home Lands has not made strident efforts to eliminate the waitlist for leases of Hawaiian home lands which has led to a mismanagement of the trust, causing native Hawaiian beneficiaries to languish. As of November 30, 2020, there were 10,881 applicants from the island of Oahu; 5,905 applicants from the island of Hawaii; 3,859 applicants from the island of Maui; 1,693 applicants from the island of Kauai; eight hundred forty applicants from the island of Molokai; and seventy-four applicants from the island of Lanai on the waitlist.

Your Committee also finds that the Hawaii Supreme Court has upheld the State's constitutional duty to make sufficient sums available for the Department of Hawaiian Home Lands' administrative and operating budget. The Department of Hawaiian Home Lands submitted its executive biennium budget request for fiscal year 2018 for \$73,425,000 for lot development, but only received \$20,000,000. The Department of Hawaiian Home Lands submitted its executive biennium budget request for fiscal year 2019 for \$88,975,000 for lot development, but only received \$20,000,000. The Department of Hawaiian Home Lands submitted its executive biennium budget request for fiscal year 2020 for \$74,775,000 for lot development, but only received \$20,000,000. For the fiscal years from 2018 to 2020, the Department has requested \$237,175,000, and has only received \$60,000,000 for lot development, resulting in a difference of \$177,175,000.

While your Committee further finds that the Department of Hawaiian Home Lands conducted studies in 1995, 2003, 2008, and 2014 which outlined goals on emphasizing management of their existing land inventory, their plans have not made explicit mention of providing lot development on a trajectory that would extinguish the waitlist. Additionally, the Department of Hawaiian Home Lands has shifted to more expensive housing developments that may have exacerbated the problems of people remaining on the waiting list for extended periods of time and failed to aggressively pursue diversification of housing awards for diversified housing arrangements. Therefore, your Committee finds that this measure is necessary to assess beneficiaries' needs and create a long-term strategic plan to eliminate the waitlist for home lease lands.



Your Committee has amended this measure by 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. 1323, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1323, 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,




MAILE S.L. SHIMABUKURO, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1323	HWN, WAM	2/9/2021		
<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)	X			
KEOHOKALOLE, Jarrett (VC)	X			
ACASIO, Laura			X	
IHARA, Jr., Les	X			
FEVELLA, Kurt	X			
TOTAL	4		1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod				
File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes