

STAND. COM. REP. NO. 742

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 436

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 436 entitled:

"A BILL FOR AN ACT RELATING TO TRAINING,"

begs leave to report as follows:

The purpose and intent of this measure is to provide training to members of appropriate state councils, boards, and commissions about native Hawaiian and Hawaiian traditional and customary rights, natural resource protection and access rights, and the public trust.

Specifically, the measure:

- (1) Requires the Office of Hawaiian Affairs to establish, design, and administer a training course on native Hawaiian and Hawaiian traditional and customary rights, natural resource protection and access rights, and the public trust;
- (2) Requires members of appropriate state councils, boards, and commissions to take the training course; and
- (3) Authorizes other state or county officers, representatives, or employees to request to enroll in the training course.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, the Office of Hawaiian Affairs, the Land Use Commission, the Aha Moku

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Advisory Committee, the Ka Huli Ao Center for Excellence in Native Hawaiian Law, the Koolaupoko Hawaiian Civic Club, King Kamehameha HCC, the Association of Hawaiian Civic Clubs, Kua'aina Ulu 'Auamo, the Koolau Foundation, and the Society for Hawaiian Archaeology. Your Committee received written comments in opposition to this measure from the Land Use Research Foundation of Hawaii and the Center for Hawaiian Sovereignty Studies.

Your Committee finds that certain state councils, boards, and commissions administer public trust resources and programs that directly impact native Hawaiian and Hawaiian traditional and customary rights, natural resource protection and access rights, and the public trust. Your Committee further finds that, as entities of the State, these councils, boards, and commissions have a duty to protect and preserve these rights and a fiduciary duty to administer the public trust in the interest of the beneficiaries. Your Committee believes that the training course required by this measure will better prepare members of state councils, boards, and commissions to fulfill their responsibilities relating to native Hawaiian and Hawaiian traditional and customary rights, natural resource protection and access rights, and the public trust.

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 is in accord with the intent and purpose of S.B. No. 436 and recommends that it pass Third Reading.

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



JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB436	HWN/EVO, WAM	2/26/15		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood				✓
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam				✓
TOTAL	7	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;">W. D. M.</div>				
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*Only one measure per Record of Votes