

Honolulu, Hawaii

FEB 04 2016

RE: S.B. No. 2124
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
S.B. No. 2124 entitled:

"A BILL FOR AN ACT RELATING TO INCREASING THE PAYMENT AMOUNT
FOR THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF THE
PUBLIC LAND TRUST,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require agencies that collect receipts for any disposition of the public land trust to transfer to the Office of Hawaiian Affairs twenty per cent of each receipt from a disposition each fiscal quarter;
- (2) Return to the Office of Hawaiian Affairs certain monies previously claimed as public land trust overpayments to the office; and
- (3) Establish a public land trust revenues negotiating committee to determine the amount of income and proceeds from the public land trust that the Office of Hawaiian Affairs should receive annually.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, the Native Hawaiian Chamber of Commerce, Chaminade University of Honolulu, the Makaha Hawaiian Civic Club, the Association of Hawaii Civic Clubs, and sixteen individuals. Your Committee received testimony in opposition to



this measure from Ho'omana Pono, LLC; and the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Department of the Attorney General, the University of Hawai'i System, and one individual.

Your Committee has heard the testimony of the Department of the Attorney General expressing concerns that an increase of the Office of Hawaiian Affairs' share of the receipts from the use of public land trust lands should be determined through negotiation with the State.

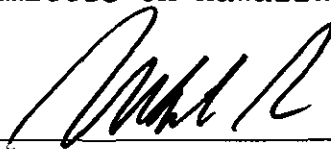
Accordingly, your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee has also heard concerns about transparency and about the difficulty of having an even number of members on the negotiating committee. Your Committee finds that these issues raise concerns that merit further consideration and requests that your Committee on Ways and Means further examine those issues and concerns raised by the testifiers on this measure.

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. 2124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2124, 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,

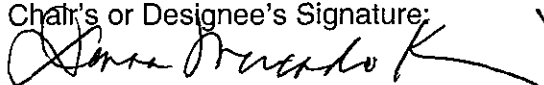


MAILE S.L. SHIMABUKURO, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2124	HWN, WAM	1/29/16		
<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)	✓			
ENGLISH, J. Kalani (VC)				✓
INOUYE, Lorraine R.	✓			
KIM, Donna Mercado	✓			
SLOM, Sam		✓		
TOTAL	3	1	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes