

TWENTY-EIGHTH DAY

Monday, March 14, 2016

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2016, convened at 12:06 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Representative Bob McDermott, after which the Roll was called showing all Members present with the exception of Representatives Belatti and Ing, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Seventh Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 14) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 14, dated March 10, 2016, requesting the immediate passage of H.B. No. 2569, HD 2, Relating to Energy, and S.B. No. 3126, SD 2, Relating to Public Schools.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1026-16) recommending that H.B. No. 1700, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1700, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Ward rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition as I did in the Finance Committee, and I want to give a few reasons why that's the case. There's a lot of good things in this budget, Mr. Speaker. And I was hoping that the Chair of Finance might start out saying a few of those things as she does on third reading. But I would say that it's got a lot of good things for the homeless people, for the weak, for those who want to do entrepreneurship, those who are sick. It touches bases for housing.

"Mr. Speaker, it's a good budget. There's even something in there for international relations, Mr. Speaker. When I saw that, it made me flash back to standing on this floor with the Minority Floor Leader, arguing back and forth if the Office of International Relations should have any funding. Unfortunately, the Representative from Kailua won that and we don't have Brenda Foster or Mufi Hannemann in that office.

"The bottom line, Mr. Speaker, is that I am grateful, but I still ask, why is there something conspicuously absent in this budget? Something conspicuously absent, which I want to speak on.

"Mr. Speaker, some of the reasons why this budget is not worthy of my vote in the positive is because, HB 1700 on page 29, Mr. Speaker, allocates \$9.6 million for the Department of Hawaiian Home Lands. This is for a group of people who've been waiting for justice for 96 years and on the waitlist of 27,000 people for housing that was promised to them by the U.S. Congress and by this body, this legislature.

"The second reason why the budget falls short, Mr. Speaker, is that the host culture and the Hawaiian people, by not funding the \$28 million, is a constitutional oversight, which was mandated by the court order of Judge Castagnetti just a couple of weeks ago. And why the budget is now \$13 billion but short \$9 million is that, Mr. Speaker, this office has been

confused by the interpretation of what Judge Castagnetti had said a couple of weeks ago.

"We have to be mindful that the whole purpose of DHHL and its budget is to establish a permanent land base for the Hawaiians, and placing Hawaiians on the land in a prompt and efficient manner. Mr. Speaker, prompt and efficient means more than 96 years in the waiting. Like the Jews waiting for 100 years for a homeland, Native Hawaiians are still waiting for the homestead in their own homeland.

"So let's fast forward, Mr. Speaker, from 1920 to February 2016. The following language is taken directly from Judge Castagnetti's order. If we listen closely to her words, you can see specifically they're speaking to you, Mr. Speaker, they are speaking to me and every Member on this floor. She said in her last order, the defendants must fulfill their constitutional duty and trust responsibilities. To be clear, the court is not ordering an appropriation. Mr. Speaker, that's exactly as the Majority Leader said last week. And it's appropriate."

The Chair addressed Representative Ward, stating:

"Representative, may I remind you, we are speaking on the budget. And if you are not happy with the budget, as you are not happy with the budget, keep your comments to the budget."

Representative Ward: "Mr. Speaker, I am speaking to the \$19 million missing in the budget."

Speaker Souki: "You are speaking to there's no funds in the budget relative to Hawaiian homes?"

Representative Ward continued, stating:

"Mr. Speaker, the point is that Judge Castagnetti said the court is ordering the State to comply with their constitutional duty to sufficiently fund the Department of Hawaiian Home Lands. We have until the end of this session to be compliant. The evidence that the trial experienced amply demonstrated that the amount DHHL requires for its administrative and operating budget for this fiscal year is more than \$28 million, specifically \$28,478,966. Mr. Speaker, that is \$9,632,000 which is now budgeted in HB 1700, but is not there.

"Mr. Speaker, today's budget crosses the court's line in the sand. There is no doubt that fact finding number 44 was not vacated, because it's still in the transcript. Finding of fact 44 clearly states that unequivocally, specifically, quote, DHHL needs more than \$28 million annually for its administrative funding."

Representative Tupola rose to yield her time, and the Chair "so ordered."

Representative Ward continued, stating:

"Mr. Speaker, I've just begun to speak. So, Mr. Speaker, that's the first bottom line. The second bottom line is that we have to prepare ourselves in this budget to obey the law. Every budget that we pass should be in obedience to the law. Budget should reflect a sense of justice and fairness to the indigenous people of Hawaii, particularly because they represent the largest homeless population, the largest number of incarcerated prisoners, highest number of diabetes patients, and who are still on the lowest rung of the socioeconomic ladder of education and income.

"Mr. Speaker and Members, how can any of us deny what is due to the Native Hawaiians in this budget, HB 1700? What right can we continue to add broken promises to broken promises? What right can we deny our own court's orders? By what right can we deny the State of Hawaii Constitution, Article XII, Section 1 that we swore to uphold in our oaths for us, when it's clearly spelling out that we have an obligation to sufficiently fund DHHL.

"And Mr. Speaker, this is nothing new that I'm saying, because I have another document here called A Broken Trust, and it was written in 1991,

which basically says almost everything that I've just spoken about. A Broken Trust is from the Hawaii Advisory Committee and the United States Commission on Civil Rights, 1991, mirroring what I am saying now in 2016.

"Mr. Speaker what I am saying is very simple. Contrary to the \$100 million that is now in the Rainy Day Fund, it puts nothing in the care of the Native Hawaiians who are out either sleeping or standing in the rain. What are our priorities and where is our sense of justice?"

"This \$13 billion budget is excellent for what it does, but it's an insult for what it does not do. How long will it be before we live up to our commitments? How long will the Native Hawaiians remain patient on a string of broken promises? And how many more Hawaiians will have to die on the waitlist?"

"Mr. Speaker, in the next six weeks we have a great opportunity to amend this bill, to make things right, or, Mr. Speaker, as has been said oftentimes, we're going to end up and land back in court again.

"HB 1700 can be victorious, but only if the members of our host culture are provided the \$28 million this year and hereafter. Of our \$13 billion budget, \$28 million is less than one tenth of 1% of the state budget. Yes, Mr. Speaker, it's that little, but it's that important to do the right thing.

"So, Mr. Speaker, as I said in Finance, for now I will be voting no until such time as we did, Mr. Speaker, in the past few years when OHA said we have not had our rights to the seeded lands paid properly, that it's now a time for all of us to do the proper amounts for the Hawaiian home lands.

"With that, Mr. Speaker, I look forward to third reading when I hope I have to withdraw all of my remarks, and that there will have been an amendment that will coincide with what Judge Castagnetti has said for \$28 million for the Hawaiian homes. Having said that, Mr. Speaker, I request permission to insert additional remarks into the Journal. Thank you."

Representative Ward submitted the following:

AM 10 11

CR 12: H 3/3

A BROKEN TRUST

The Hawaiian Homelands Program: Seventy Years of Failure of the Federal and State Governments to Protect the Civil Rights of Native Hawaiians

Hawaii Advisory Committee to the United States Commission on Civil Rights

December 1991

This factfinding report of the Hawaii Advisory Committee to the United States Commission on Civil Rights was prepared for the information and consideration of the Commission. Statements and viewpoints in this report should not be attributed to the Commission, but only to the Advisory Committee.

VI. Findings and Recommendations

Finding 1: The Hawaii Advisory Committee concludes that the United States has failed to exercise its trust obligations to the beneficiaries of the Hawaiian Homes Commission Act, as mandated by Section 5(f) of the Hawaii Admission Act.

The statute specifically entrusts oversight responsibilities to the Federal Government and grants it exclusive authority to enforce the provisions of the act. Despite this, correspondence to the Chairman of the U.S. Commission on Civil Rights from both the U.S. Departments of Interior and Justice denies Federal trust duties. It is clear that the United States has now abandoned any interest in protecting the trust.

This retreat is unacceptable to the Advisory Committee, especially in light of overwhelming evidence that the objectives of the Hawaiian Homes Commission Act have not been achieved in 70 years of Federal and State administration. Refusal by the Federal Government to monitor compliance, investigate complaints, and take appropriate legal actions, constitute a denial of the civil rights of Native Hawaiian trust beneficiaries.

Recommendation 1: Congressional Action; Office of Compliance and Trust Counsel

The Congress should enact legislation establishing a clear Federal trust duty to Native Hawaiians for fulfillment of the Hawaiian Homes Commission Act. In view of the current Federal reluctance to accept trust obligations under the act, this congressional action is a fundamental prerequisite to any meaningful Federal participation in corrective actions to repair the trust and make it effective.

The Federal executive branch of government should establish an office of compliance within the U.S. Department of the Interior to evaluate systematically performance by the State in meeting its trust duties. Comprehensive compliance reviews should be conducted on a periodic basis. This office should also establish mechanisms for receiving, investigating, and promptly resolving complaints by beneficiaries of trust breaches. It should initiate appropriate actions to recover trust assets for the State of Hawaii that were lost or diminished during the period of Federal administration of the program.

To effectively carry out its enforcement functions, such a compliance unit will need the support of competent legal counsel. The Congress and the executive branch should give serious consideration to establishing an office of trust counsel with adequate legal resources and sufficient independence to aggressively seek remedies for trust violations.

Finding 2: Unlike other Native Americans, Hawaiians have never received the privileges of a political relationship with the United States. Yet Hawaiians, whose former kingdom was a member of the international community of nations and recognized by the United States, have a compelling case for Federal recognition.

The lack of formal recognition of Native Hawaiians by the Federal Government has resulted in their inability to secure control of lands and natural resources, develop self-governance mechanisms, enjoy eligibility for Federal programs designed to assist Native Americans and other protected groups, and the denial of valuable legal rights to sue for discrimination. This constitutes disparate

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treatment and must be remedied without delay.

Recommendation 2: Federal Recognition of Native Hawaiians

The Congress should promptly enact legislation enabling Native Hawaiians to develop a political relationship with the Federal Government comparable to that enjoyed by other native peoples in the Nation. Such legislation would encourage the realization of sovereignty and self-determination for Native Hawaiians, a goal that this Advisory Committee strongly endorses.

The legislation should also explicitly confer eligibility to Native Hawaiian beneficiaries for participation in Federal programs designed to assist Native Americans, Alaska Natives, and other protected groups who have suffered from historical discrimination.

Native Hawaiians should receive the full protection of civil rights statutes and regulations applicable to Native Americans and other protected groups in the United States.

Finding 3: With questionable legal authority and negligible compensation, the Federal Government is occupying valuable Hawaiian homelands for purposes unrelated to fulfillment of the trust.

Continued control of these lands (including Luahualei, Pohakuloa, Kekaha, and Keaukaha) in defiance of trust obligations, demonstrates a callous disregard for the interests of the Native Hawaiian beneficiaries. Luahualei alone constitutes one-fifth of all homestead lands on Oahu, where over 5,000 Hawaiian applicants are waiting for leases. The United States has failed to return these valuable parcels to the trust and also refused to exchange them for other suitable Federal lands or provide fair compensation for their past and present use.

Recommendation 3: Return of Federal Lands; Adequate Compensation; Amend Quiet Title Act

Immediate action is required by the Federal Government to address this critical issue. The trust must be made whole, and this necessitates the Federal Government evacuating and restoring currently held homestead lands, or negotiating the exchange of other available Federal properties that are suitable for homesteading. In addition, the Federal Government must make arrangements to provide market value compensation for past and present use of Hawaiian homelands. The U.S. Department of the Interior, with legal assistance from the U.S. Department of Justice, should immediately initiate negotiations with those branches of the Federal Government using the homelands (primarily military) to effect an expeditious resolution to this problem.

To assure appropriate judicial remedies for the uncompensated use of Luahualei, the Congress should amend the Federal Quiet Title Act, which currently includes a 12-year statute of limitations. This would allow resolution of the problem through the Federal court system in the event administrative negotiations are unsuccessful.

Finding 4: Native Hawaiian beneficiaries are denied the explicit right to sue for enforcement of the trust in Federal court under the Hawaii Admission Act and the Hawaiian Homes Commission Act. Because of the very narrow scope of judicial remedies available in Federal and State courts, and extensive procedural and jurisdictional constraints, beneficiaries are effectively denied full access to judicial remedies for breaches of trust.

In view of the unwillingness of the Federal Government to file such actions on their behalf, beneficiaries are effectively denied the right of judicial redress. The Advisory Committee believes this represents an egregious

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abridgement of the equal protection of the laws for Native Hawaiians. In addition, there are insufficient legal resources to directly assist beneficiaries in pursuing legal remedies.

Recommendation 4: Right to Sue: Legal Resources

The U.S. Congress should enact legislation explicitly granting beneficiaries the right to sue in Federal court for breaches of trust under the Hawaii Admission Act and the Hawaiian Homes Commission Act. Such legislation should be enacted promptly, without regard to existing "right-to-sue" laws enacted at the State level, and severely limited remedies presently available through the Federal courts. Otherwise, beneficiaries will be effectively precluded from seeking restoration for breaches of trust inflicted during the nearly 40 years of Federal administration of the Hawaiian homes program.

Increased rights for Native Hawaiian beneficiaries may be meaningless without the availability of adequate resources to pursue such claims. The complex nature of many issues involving Hawaiian homelands necessitates significant resources to fund such litigation. The Advisory Committee recommends a significant increase in Federal funding of legal services programs for Native Hawaiian beneficiaries.

Finding 5: The United States has failed to provide funding support or sustained technical assistance for implementation of the Hawaiian Homes Commission Act. This failure has persisted despite the fact that the legislation was enacted by the United States Congress and that most of the damage done to the trust occurred during the territorial period. With the exception of limited technical and "housekeeping" initiatives, the Federal Government has largely ignored the findings and recommendations of the Federal-State Task Force.

accurate assessment of the Hawaiian homes program. No formal followup or reevaluation was ever undertaken, although this was called for in the study. The extensive findings and recommendations serve as the benchmark for measuring progress. Although the State has been partially responsive, the Federal Government has virtually ignored much of the advice provided in this document.

Recommendation 7: Federal-State Task Force Responses; Reconciling the Task Force

The State of Hawaii should address in a more substantive manner those task force recommendations that it has failed to adopt or implement. In those instances where actions have not been taken due to higher priorities, the State should establish a proposed timetable for full implementation.

It is especially imperative that the Federal Government provide a full accounting for its almost complete disregard of many task force findings and recommendations. The U.S. Secretary of Interior should assign a high priority to a prompt and thorough response.

In its responses, both the State and Federal governments should make every effort to update systematically critical information contained in the 1983 document.

In addition, the Secretary of the Interior and the Governor of Hawaii should immediately reconvene the Federal-State Task Force to review progress in implementing recommendations in its 1983 report and to undertake new oversight and advisory functions, as necessary. The task force should meet on a periodic basis and issue reports to the Congress and the Hawaii legislature at least biennially.

Finding 6: The State of Hawaii amended its constitution in 1978 to provide full funding of the Hawaiian homelands program, including administration, operations, and

Recommendation 5: Federal Funding and Technical Support

The U.S. Congress should enact legislation establishing a fiduciary responsibility of the United States for accomplishing the purposes of the Hawaiian Homes Commission Act. Enhanced Federal financial support is critical to the success of the program.

In addition, the U.S. Department of the Interior should provide technical assistance and support to help the State of Hawaii effectively implement the program. This function should be entirely independent from the compliance unit, and should serve to assist the State in aggressively seeking Federal financial and technical assistance from all sources.

Finding 6: An accurate inventory of Hawaiian homelands has never been achieved, resulting in an inability to reconcile discrepancies and resolve disputes.

Despite efforts by the State to correct this problem, there still exists only an estimate of the total acreage. This problem is largely the making of the Federal Government, as the original statute was imprecise as to the lands included and a comprehensive survey was not undertaken prior to transferring title to the State of Hawaii.

Recommendation 6: Federal Support for Completing Land Inventory

The U.S. Department of the Interior should fund and provide technical support to assist the State of Hawaii in conducting an exhaustive research project designed to document and define the total homelands inventory. The Federal Government should also assist the State in designing and implementing a management system that is capable of continuously updating the inventory, based on new information and changes resulting from land transactions.

Finding 7: The Federal-State Task Force report remains the most comprehensive and

programs. However, the Department of Hawaiian Home Lands receives less than 0.2 percent of the State's overall budget, and is therefore still exceedingly dependent on revenues generated by leasing homestead lands to nonbeneficiaries. This creates a conflict of interest situation that adversely affects beneficiary entitlements. Although funding for the program has increased measurably, especially during the administration of Governor Waihee, it falls far short of the resource level necessary to support the ambitious mandate of the Hawaiian Homes Commission Act.

Recommendation 8: State Funding

The Governor's budget submissions to the legislature should incorporate the full amount of financial assistance necessary to support effective implementation of the program. At the same time, the State should continue to aggressively solicit funding assistance from the Federal Government, which has a responsibility to assist the State in fulfilling the provisions of the act.

Finding 9: The Department of Hawaiian Home Lands continues to suffer from a lack of continuity in leadership, inadequate staff levels, and bureaucratic inefficiencies. The department lacks critical technical expertise, and creative initiatives have been stymied by the need to accommodate many competing priorities. Many recommendations in the Federal-State Task Force report have yet to be addressed as a result of these limitations. Furthermore, the basic structure of the department has impeded its ability to perform its trust duties effectively. As a State government agency within the executive branch, it is unable to function exclusively in the interests of its beneficiaries. The department is subject to many policies and regulations relating to budgeting, personnel, and administration that can frustrate its efforts. Of greater concern, however, is the inability of the depart-

ment to compete successfully with other more powerful political influences affecting public policy. The placement of the trust obligation in a relatively small State agency largely subordinate to other greater public interests results in a conflict of interest. From the inception of the program, the ability of larger economic and political interests to prevail over Native Hawaiian trust entitlements have worked to render the program ineffectual.

Recommendation 9: Enhanced Technical Resources; Alternate Administrative Mechanism

The Department of Hawaiian Home Lands needs enhanced staffing in order to perform its many varied functions. Management, technical, and legal capabilities must be improved. The department should not rely on other State offices for legal and technical representation, as these entities are not acting exclusively on behalf of native beneficiaries.

The reconvened Federal-State Task Force should promptly begin the process of developing recommendations for alternative administrative mechanisms to implement the Hawaiian Homes Commission Act. The Native Hawaiian community, including homesteaders, other beneficiaries, and advocacy organizations, must be fully consulted in this endeavor. The objectives of the study should be to devise a structure that, to the extent possible, insulates the trust from inherent conflict of interest difficulties.

The task force study and recommendations on a new mechanism must be accomplished in an expedient manner. This Advisory Committee believes that it is unlikely that the Hawaiian homes program will ever succeed unless the trust functions can be managed in a more independent, aggressive, and creative manner, with increased accountability to the beneficiaries. Indeed, the new administrative

structure should be governed and primarily directed by Native Hawaiians. This recommendation is in keeping with the mandate of the Hawaii Supreme Court which specified that the trustee is obligated to administer the trust solely in the interest of the beneficiary. The current structure fails to meet this test.

Finding 10: Decisionmaking in the Department of Hawaiian Home Lands is formally vested in a commission appointed entirely by the Governor. There are no systematic or institutionalized mechanisms for decisionmaking influence by the beneficiaries themselves. Furthermore, Native Hawaiians have consistently expressed frustration at the difficulty in accessing information from the Department of Hawaiian Home Lands or in resolving problems in a timely and satisfactory manner.

Recommendation 10: Appointments to the Hawaiian Homes Commission; Appointment of Ombudsmen

Until a complete restructure of the Hawaiian Homes Commission is achieved (see recommendation 9), the Governor should consent to make appointments to the commission based on recommendations made by Native Hawaiian beneficiaries in a democratic manner. Furthermore, the Department of Hawaiian Home Lands should immediately appoint full-time ombudsmen on every major island to assist beneficiaries with problems or questions relating to their status or entitlements.

Finding 11: Failure of the Department of Hawaiian Home Lands to develop management plans for the productive use of large areas of trust land, combined with the willingness to lease land to nonbeneficiaries for purposes of generating revenue, effectively defeat the goal of putting beneficiaries back on the land. Many competing priorities on the limited staff and resources of the department have contributed to this situation. However,

the failure to develop plans in a timely manner and to withdraw harmful leases, is inflicting lasting damage on the beneficiaries. In some cases, they have been waiting for as long as 30 to 40 years for residential, ranching, or farming lands, with no hope of imminent awards. Some have died and many more certainly will without receiving the benefits promised in the Hawaiian Homes Commission Act.

Recommendation 11: Limiting Revenue-Generating Leases to Nonbeneficiaries

The Hawaiian Homes Commission should drastically curtail the practice of leasing lands to nonbeneficiaries in order to generate revenue. The practice is injurious to the interests of the beneficiaries, in too many cases depriving them of their lands. The Department of Hawaiian Home Lands should secure the necessary management and technical assistance required to develop suitable management plans in an expeditious manner. Wherever there is a conflict between a lease to nonbeneficiaries and the clear interests of eligible beneficiaries, the latter should prevail.

The Hawaiian Homes Commission should make every effort to use Hawaiian Home Lands for the original intent of the act, which is to rehabilitate the Native Hawaiian by returning him to the land.

Finding 12: The Advisory Committee concludes that Native Hawaiian rights to gather, hunt, and fish for subsistence purposes, and to have access to sacred places of worship on Hawaiian Home Lands have been insufficiently protected by the State of Hawaii.

Recommendation 12: Access to Homelands

The Hawaiian Homes Commission should adopt policies and procedures in a timely manner that will allow Native Hawaiians to exercise traditional practices of gathering, hunting, fishing, and religious worship on Hawaiian homelands. These rights should be specifically reserved for Native Hawaiians, and the Department of Hawaiian Home Lands should restrict entry by other persons. A permit system might be appropriate to assure regulated access by qualified beneficiaries to the lands.

Appendix A



UNITED STATES
COMMISSION ON
CIVIL RIGHTS

1121 Vermont Avenue, N.W.
Washington, D.C. 20425

July 2, 1990

The Honorable Richard Thornburgh
Attorney General
U.S. Department of Justice
Constitution Avenue and Tenth Street, NW
Washington, D.C. 20530

Dear Mr. Attorney General:

This letter invites participation by the United States Department of Justice in a fact-finding meeting to be convened by the Hawaii Advisory Committee to the United States Commission on Civil Rights in Honolulu on August 2, 1990. The meeting will be held at the Ramada Renaissance Ala Moana Hotel (Garden Lanai Room), 410 Atkinson Drive, between 9:00 a.m. and 5:00 p.m. The purpose of the meeting is to obtain information and views relating to implementation of the Hawaiian Homes Commission Act. Specifically, the Committee is interested in learning the extent to which the Federal government and the State of Hawaii are meeting their obligations for fulfilling the law.

You (or your designated representative) are requested to address the following issues:

How does the Department of Justice exercise oversight responsibilities for the Hawaiian Homes trust under Section 4 and 5 of the Hawaii Admission Act of 1959?

Has it been necessary for the Department of Justice to bring any enforcement actions against the State of Hawaii for breaching its trust responsibilities to Native Hawaiians?

To what extent has the Federal government responded to the specific findings and recommendations issued by the Federal-State Task Force on the Hawaiian Homes Commission Act issued to the United States Secretary of the Interior and the Governor of the State of Hawaii (August 1983)?

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Finally, the Advisory Committee solicits your specific recommendations for improving the performance and accountability of the Federal and State governments in fulfilling the mandate of the Hawaiian Homes Commission Act.

Participation by the United States Department of Justice in the fact-finding meeting will be scheduled between 3:00 and 4:00 p.m.

The United States Commission on Civil Rights is an independent, bipartisan, fact-finding agency first established by Congress in 1957 and reestablished in 1983. The Hawaii Advisory Committee is one of 51 such Advisory Committees appointed nationwide by the Commission. Members serve without compensation for 2-year terms. The Advisory Committee is chaired by Andre' S. Tatibouet of Honolulu.

We would appreciate your response to this invitation as promptly as possible. Also, should you have questions or need additional information, please contact our Western Regional Division in Los Angeles (213) 894-3437.

Your cooperation with the work of the Hawaii Advisory Committee and the United States Commission on Civil Rights are very much appreciated.

Sincerely,

ARTHUR A. FLETCHER
Chairman

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Appendix B



UNITED STATES
COMMISSION ON
CIVIL RIGHTS

1121 Vermont Avenue, N.W.
Washington, D.C. 20425

July 2, 1990

The Honorable Manuel Lujan, Jr.
Secretary of the Interior
U.S. Department of the Interior
1800 C Street, NW
Washington, D.C. 20240

Dear Mr. Secretary:

This letter invites participation by the United States Department of the Interior in a fact-finding meeting to be convened by the Hawaii Advisory Committee to the United States Commission on Civil Rights in Honolulu on August 2, 1990. The meeting will be held at the Ramada Renaissance Ala Moana Hotel (Garden Lanai Room), 410 Atkinson Drive, between 9:00 a.m. and 3:00 p.m. The purpose of the meeting is to obtain information and views relating to implementation of the Hawaiian Homes Commission Act. Specifically, the Committee is interested in learning the extent to which the Federal government and the State of Hawaii are meeting their obligations for fulfilling the law.

You (or your designated representative) are requested to address the following issues:

How does the Department of the Interior exercise oversight responsibilities for the Hawaiian Homes trust under Section 4 and 5 of the Hawaii Admission Act of 1959?

Has it been necessary for the Department of the Interior to recommend to the United States Department of Justice bringing enforcement action against the State of Hawaii for breaching its trust?

How does the Department of the Interior carry out its responsibilities for approving State actions relating to the Hawaiian homelands and for advising the Congress on matters pertaining to the Hawaiian Homes Commission Act?

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What level of assistance has the Federal government provided to the State of Hawaii to help implement the Act (funding and technical)?

To what extent has the Federal government responded to the specific findings and recommendations issued by the Federal-State Task Force on the Hawaiian Homes Commission Act issued to the United States Secretary of the Interior and the Governor of the State of Hawaii (August 1983)?

Finally, the Advisory Committee solicits your specific recommendations for improving the performance and accountability of the Federal and State governments in fulfilling the mandate of the Hawaiian Homes Commission Act.

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Your cooperation with the work of the Hawaii Advisory Committee and the United States Commission on Civil Rights are very much appreciated.

Sincerely,

ARTHUR A. FLETCHER
Chairman

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Appendix C

U.S. Department of Justice
Land and Natural Resources Division

98 SEP 10 AM 10:26 E-230

Office of the Assistant Attorney General

Washington, D.C. 20530

August 31, 1990

Mr. Arthur A. Fletcher
Chairman
United States Commission
on Civil Rights
1121 Vermont Avenue, N.W.
Washington, D.C. 20425

Dear Mr. Fletcher:

I have been asked to respond to your July 6, 1990 letter to Attorney General Thornburgh seeking Justice Department participation in an August 2, 1990 fact-finding meeting in Hawaii. The subject of the meeting, convened by the Hawaii Advisory Committee to the United States Civil Rights Commission, was implementation of the Hawaiian Homes Commission Act. As was communicated to your office by phone prior to the August 2 meeting, this Department was not able to send a representative to Hawaii. I have, however, taken this opportunity to offer a brief written response on behalf of the Department to the questions included in your July 6 letter. As you can see, the Justice Department has, at most, a peripheral role in implementation of the Hawaiian Homes Commission Act.

Turning to your specific questions:

1. How does the Department of Justice exercise oversight responsibilities for the Hawaiian Homes trust under Section 4 and 5 of the Hawaii Admission Act of 1959?

The State of Hawaii is trustee of the Hawaiian Homelands. See *Keaukaha-Panaya Community Assn. v. Hawaiian Homes Comm'n*, 588 F.2d 1216, 1224, n.7 (9th Cir. 1978). The Justice Department does not oversee the trust. To the extent that there is active federal oversight, it is exercised by the Department of the Interior, which has accepted the status of lead federal agency in connection with federal responsibilities under the Hawaiian Homes Commission Act. Justice Department involvement, if any, would be to bring a legal action to enforce the trust under Section 5(f) of the Act. Owing to Interior's status as lead federal agency and overseer, the Justice Department would

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Representative McDermott rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I appreciate your encouragement to wait till third reading, but the situation before us requires that I speak. First, I want to thank the Finance Chair for all of her hard work. She is a diligent professional. I know her team is a team of dedicated professionals and that they want nothing but the best for our students and our state.

"Mr. Speaker, I am concerned about parts of the education budget here."

Representative Evans rose to a point of order, stating:

"Excuse me, Mr. Speaker, is the speaker in support or in opposition?"

Representative McDermott continued, stating:

"Support, thank you. Support with grave reservations. I am sure that the majority body believes that this document should reflect the feeling that every student should have a first class high school. And I want to say that right up front. Every student across the State should have a first class high school, Mr. Speaker, and I know everyone in this body believes that. I know they do.

"But how do we get there, Mr. Speaker? How do we get to appropriating funds for certain projects? I think when it comes to children, these policies should be child-centered and student-based. Based on hard data, enrollment figures, growth projections. How many seats do we have for the students, Mr. Speaker? How many seats do we have for kids?

"It would seem to me that the highest priority we have is ensuring that students have a place to sit. Mr. Speaker, you don't hear me down here talking about air-conditioning anymore. We used to say that the classrooms at Campbell were like ovens. The problem now, Mr. Speaker, is we don't have enough ovens to put the kids in. So we've gone from

cooling the ovens to now we just need ovens. Isn't that a sad state of affairs, Mr. Speaker?

"So my job here is to point out that the Governor's budget had \$31 million for a new building at Campbell High School. And we cut that to \$15 million. Mr. Speaker, do you know how many kids are at Campbell High School today? Take a guess. Three thousand one hundred and two children, 3,102 children.

"Kapolei, which was built 14 years ago, is also overcrowded with 2,118 children. And their overcrowding is due to the Campbell kids getting geographical exceptions to go to their school. These two schools have over 5,000 students in them.

"Mr. Speaker, this needs to be addressed. So my job is to point out the need for fully funding the Governor's \$31 million request, which we cut in half. Which is an urgent need, the Governor put it in. Mr. Speaker, you may not know this, but the Governor is not a part of the Bob McDermott fan club. He put it in without discussing it with me. He put it in nonetheless. We cut it in half, we cut it into the amount that we provide for performing art centers at other schools, which are nice to have.

"This is exigent circumstances. This is an emergency situation. The parents are outraged, the community is outraged, the neighborhood board is outraged. But I can't blame the Chair of Finance, Mr. Speaker. I cannot blame her, because I have to assume that the Chair of Finance is given the same information I am from the Department of Education.

"I asked the Department of Education not once, not twice, but three times, what is your number one priority for a new high school? And each time I got a two-page non-answer. Two-page non-answer. So apparently, there is no priority for a new high school.

"Mr. Speaker, in this budget we are building a new high school on your island. Which is not needed. Thirty-seven million dollars. Enrollment between Maui and Baldwin is going to go down in the next three years by 400 students, while the combined enrollment between Kapolei and Campbell goes up by 768. Who builds a new high school where it's not needed?"

Representative Ward rose, stating:

"Mr. Speaker, I yield my time."

Representative McDermott continued, stating:

"Who builds a new high school where it's not needed?"

At 12:26 o'clock p.m., Representative McDermott requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m.

At this time, the Chair stated:

"I ask the Members to respect each other, maintain decorum. You are Representatives, you represent the people of the State of Hawaii."

Representative Pouha rose to yield his time, and the Chair "so ordered."

Representative McDermott continued, stating:

"Thank you, Mr. Speaker. Mr. Speaker, the point is, we're allocating money for a high school that doesn't need to be built. The enrollment on Maui goes down by 400 students in the next three years, while the enrollment on West Oahu goes up by 769 students. This is akin to Castle High School having a roof leak and we build a new high school in Molokai to solve the problem. It's not needed, Mr. Speaker.

"The proponents of this project cite a 1990 EIS. We don't do anything on 25-year-old EISs. And the other thing they cite is a 45 minute bus ride. Mr. Speaker, I had a 45 minute bus ride every day. Maui is a rural community

as opposed to Oahu, so you can't compare Farrington High School to rural communities. You just can't do it. Its apples and oranges. Eighty percent of our population here resides on 20% of our land.

"Mr. Speaker, the terrible part about this is if we go ahead and build this high school, there will be no new high school in West Oahu for over a decade. Because we can't afford it. We are going to sentence a generation of kids on the west side to overcrowded classrooms, hot classrooms.

"By the way, Mr. Speaker, when you have 3,500 students in a high school, the good news is we'll probably win every state championship. The bad news is, when you field a team like a basketball team, you can only take 15 kids. There will be children who are good enough to start at any other high school, who will be cut from extracurricular activities and lose that opportunity and experience to participate, because we are not building a high school in West Oahu.

"The DOE knows that if we build this school on Maui, they're not going to have a chance to build a new high school within the next 10 years. That's why they don't even have a site selected. They have no priorities, they have no site selected, so then we're left to go by the whim of our political views and political muscle.

"This should be a child-centered, student-centered decision. You know, in this body we talk a lot about it's for the *keiki*, it's for the children, it's for the *keiki*. Where are all those people now about the *keiki*? I got a school with 3,000 children in it, going up to 3,500 in three years. These are DOE numbers, by the way, Mr. Speaker. They're from Colleen Matsumoto, Information Specialist. So these aren't Bob McDermott numbers.

"Today Campbell High School is at 3,102. In three years it goes up to 3,545. Kapolei, 2,063, it goes up to 2,373. Now we're building a high school on Maui to relieve Baldwin and Maui High. Their current enrollment is 1,408 and 1,849, respectively. They both drop down to about 1,400 in three years. Both will be under capacity.

"Now, when you build this new high school there, you're now adding the burden, administrative cost and burden to the Department of Education to run and maintain that new school. And you're pulling about 400 to 500 kids out of these other two schools, so you'll have about three schools with 900 students. Because of student weighted formula, those other schools will lose some programs, teachers and extracurricular activities that they currently have.

"So you have three high schools with 900 students, and you have poor Campbell High School with 3,500 students. The assistant principal thinks it's going to be closer to 4,000. He's probably right, but I can only go by these projections.

"Now I have a selfish interest why I am pushing this, Mr. Speaker. That selfish interest is I have a sophomore there and I have two more children in the queue. One is going to be a freshman next year and then one the year after that. And they are going to be put into a campus with over 3,000 children. Where are the bleeding hearts who talk about the kids all the time? And they're going to sit by silently and watch this travesty as we sentence a generation of students on the west side to overcrowded campuses, campuses that are criminally large in nature.

"The average high school is 1,468 across the United States, from the National Coalition for Education Statistics."

The Chair addressed Representative McDermott, stating:

"Okay, please cut it off, this is the third time. I'm not allowing any more, so please summarize."

Representative McDermott: "I haven't had a third time."

Speaker Souki: "Please summarize, I'm going to cut you short."

Representative McDermott: "Okay, so tomorrow, when the Finance Chair speaks, they get 10 minutes and 11 seconds and that's it. Nobody else gets more than that."

At 12:35 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:37 o'clock p.m.

Representative Thielen rose to yield her time, and the Chair "so ordered."

Representative McDermott continued, stating:

"Thank you, Mr. Speaker. Mr. Speaker, as I began to state, I'm very concerned about this. So much so that the lack of this in the budget that I talked to the Governor's Chief of Staff and I showed him the chart with the declining enrollment.

"Mr. Speaker, we run the risk of wasting a year here. And what I mean by that is it wasn't in the Governor's budget, the Governor has sold us that he is a methodical engineer who evaluates things based on need. If we appropriate this money, which by the way is \$37 million, and that won't buy one classroom, one brick, one slab of mortar. That is only to level out this land, which is at about a 20 degree angle.

"So what are we doing? The point here, Mr. Speaker, is we're building a new high school where it's not needed, when we have exigent circumstances in West Oahu and we are throwing them a crumb, \$15 million. Exigent circumstances, this is an emergency situation. And you know what? I am the only one I guess who can read a chart, apparently, about enrollment figures.

"This is a crisis situation, it needs to be resolved. And I am here not in a partisan fashion. I'm here for these children. For my kids, literally my kids, who go to this school, and the parents who are frustrated. And I can't go in good conscience and say, well, we're building a high school on Maui where they don't need one, Mr. Speaker. And with that, I'll save the balance of my remarks for third reading. Thank you, sir."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1700, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading, with Representative McDermott voting aye with reservations, and with Representative Ward voting no.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1027-16) recommending that S.B. No. 2409, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2409, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD VISITATION," passed Second Reading and was referred to the Committee on Judiciary.

ANNOUNCEMENTS

Representative Morikawa: "Last week Friday was sort of Belatti day, although the Representative said it was no such thing. However, Mr. Speaker, today is truly Belatti day, because it's her birthday. Let's all wish the Chair of Health a very happy birthday."

Representative Evans: "Thank you, Mr. Speaker. Spring break is happening for our public school kids starting tomorrow, and I am happy to announce the Outdoor Heritage Caucus, which are Members of the House and the Senate who have come together to identify, protect and promote the State of Hawaii's heritage of outdoor recreation and foster appreciation and respect for outdoor heritage.

"Tomorrow from 9:00 a.m. to 11:00 a.m. we have an event in the rotunda. Our message is, play outdoors, play safe. Also, we'll have three

floor presentations tomorrow, honoring PATH, Access Surf and the Hawaii Bicycle League. So, from 9:00 a.m. to 11:00 a.m., we have organizations that will be with us, and at 10:00 o'clock we invite all Members to come for a press conference and then we will take a picture. Thank you, Mr. Speaker."

Representative Ing: "There is a presentation today in Room 423 at 1:30 p.m. Brooks Tanenaka and the fishing guys, they're doing an educational briefing for the stuff that they're dealing on a state level. Good people, you should come check it out."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>		
52	Committee on Finance	74	Committee on Finance
53	Committee on Tourism, then to the Committee on Finance	75	Committee on Finance
54	Committee on Transportation	76	Committee on Health, then to the Committee on Finance
55	Committee on Transportation, then to the Committee on Finance	77	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
56	Committee on Agriculture, then to the Committee on Higher Education	78	Committee on Education, then to the Committee on Finance
57	Committee on Water & Land, then to the Committee on Finance	79	Committee on Housing, then to the Committee on Finance
58	Committee on Higher Education, then to the Committee on Finance	80	Committee on Consumer Protection & Commerce, then to the Committee on Finance
59	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	81	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
60	Committee on Education, then to the Committee on Finance	82	Committee on Veterans, Military, & International Affairs, & Culture and the Arts
61	Committee on Education, then to the Committee on Finance	83	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Transportation
62	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Education	84	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance
63	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance	85	Committee on Higher Education, then to the Committee on Finance
64	Committee on Transportation, then to the Committee on Finance	86	Committee on Education, then to the Committee on Finance
65	Committee on Consumer Protection & Commerce, then to the Committee on Finance	87	Committee on Education, then to the Committee on Finance
68	Jointly to the Committee on Human Services and the Committee on Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance	88	Committee on Labor & Public Employment, then to the Committee on Finance
69	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance	89	Committee on Education, then to the Committee on Finance
70	Committee on Health, then to the Committee on Finance	90	Committee on Health, then to the Committee on Judiciary
71	Committee on Health, then to the Committee on Finance	91	Committee on Health, then jointly to the Committee on Higher Education and the Committee on Finance
72	Committee on Transportation, then to the Committee on Finance	92	Committee on Health, then to the Committee on Finance
73	Committee on Health, then to the Committee on Finance	93	Committee on Health
		94	Committee on Health, then to the Committee on Finance
		95	Committee on Consumer Protection & Commerce, then to the Committee on Finance
		96	Committee on Human Services, then to the Committee on Finance
		97	Committee on Education, then to the Committee on Finance
		98	Committee on Judiciary, then to the Committee on Finance
		99	Committee on Education, then to the Committee on Health, then to the Committee on Finance
		100	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
		101	Committee on Finance
		102	Committee on Judiciary, then to the Committee on Finance
		103	Committee on Higher Education, then to the Committee on Finance

104	Committee on Consumer Protection & Commerce, then to the Committee on Finance	129	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance
105	Committee on Health, then jointly to the Committee on Education and the Committee on Higher Education	130	Committee on Education, then to the Committee on Finance
106	Committee on Finance	131	Committee on Economic Development & Business, then to the Committee on Higher Education
107	Committee on Economic Development & Business, then to the Committee on Finance	132	Jointly to the Committee on Transportation and the Committee on Water & Land, then to the Committee on Finance
108	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance	133	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance
109	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance	134	Committee on Energy & Environmental Protection, then to the Committee on Finance
110	Committee on Water & Land, then jointly to the Committee on Judiciary and the Committee on Finance	135	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Transportation, then to the Committee on Finance
111	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	136	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
112	Jointly to the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	137	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
113	Committee on Energy & Environmental Protection, then to the Committee on Finance	138	Committee on Water & Land, then to the Committee on Finance
114	Committee on Health, then to the Committee on Finance	139	Committee on Education, then to the Committee on Consumer Protection & Commerce
115	Committee on Higher Education, then to the Committee on Finance	140	Committee on Legislative Management, then to the Committee on Finance
116	Committee on Education, then to the Committee on Finance	141	Committee on Water & Land, then to the Committee on Legislative Management, then to the Committee on Finance
117	Committee on Legislative Management, then to the Committee on Finance	142	Committee on Economic Development & Business, then to the Committee on Finance
118	Committee on Education, then to the Committee on Finance	143	Committee on Agriculture, then to the Committee on Transportation, then to the Committee on Finance
119	Committee on Transportation, then to the Committee on Finance	144	Committee on Agriculture, then to the Committee on Finance
120	Committee on Labor & Public Employment, then to the Committee on Finance	145	Committee on Transportation, then to the Committee on Finance
121	Jointly to the Committee on Transportation and the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance	146	Committee on Public Safety, then to the Committee on Finance
122	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance	147	Committee on Finance
123	Committee on Water & Land, then to the Committee on Finance	148	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance
124	Jointly to the Committee on Transportation and the Committee on Water & Land, then to the Committee on Finance	149	Jointly to the Committee on Agriculture and the Committee on Economic Development & Business, then to the Committee on Finance
125	Committee on Transportation, then to the Committee on Finance	150	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land
126	Committee on Transportation, then to the Committee on Finance	151	Committee on Education, then to the Committee on Finance
127	Committee on Transportation, then to the Committee on Finance	152	Committee on Education, then to the Committee on Finance
128	Committee on Water & Land, then to the Committee on Finance		

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>		
		116	Committee on Health, then to the Committee on Finance
91	Committee on Finance	117	Committee on Transportation, then to the Committee on Finance
92	Committee on Tourism, then to the Committee on Transportation	118	Committee on Health, then to the Committee on Finance
93	Committee on Transportation	119	Committee on Finance
94	Committee on Transportation, then to the Committee on Finance	120	Committee on Finance
95	Committee on Agriculture, then to the Committee on Higher Education	121	Committee on Water & Land, then to the Committee on Finance
96	Committee on Economic Development & Business, then to the Committee on Finance	122	Committee on Health, then to the Committee on Finance
97	Committee on Transportation, then to the Committee on Health	123	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
98	Committee on Health	124	Committee on Education, then to the Committee on Finance
99	Committee on Water & Land, then to the Committee on Finance	125	Committee on Housing, then to the Committee on Finance
100	Committee on Water & Land, then to the Committee on Finance	126	Committee on Consumer Protection & Commerce, then to the Committee on Finance
101	Committee on Higher Education, then to the Committee on Finance	127	Committee on Judiciary
102	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	128	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
103	Committee on Education, then to the Committee on Finance	129	Committee on Veterans, Military, & International Affairs, & Culture and the Arts
104	Committee on Education, then to the Committee on Finance	130	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Transportation
105	Committee on Transportation, then to the Committee on Finance	131	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance
106	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Education	132	Committee on Higher Education, then to the Committee on Finance
107	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Finance	133	Committee on Education, then to the Committee on Finance
108	Committee on Transportation, then to the Committee on Finance	134	Committee on Education, then to the Committee on Finance
109	Committee on Consumer Protection & Commerce, then to the Committee on Finance	135	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
110	Jointly to the Committee on Human Services and the Committee on Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance	136	Committee on Labor & Public Employment, then to the Committee on Finance
111	Committee on Public Safety, then to the Committee on Judiciary, then to the Committee on Finance	137	Committee on Education, then to the Committee on Finance
112	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance	138	Committee on Health, then to the Committee on Judiciary
113	Committee on Health, then to the Committee on Finance	139	Committee on Health, then jointly to the Committee on Higher Education and the Committee on Finance
114	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Labor & Public Employment	140	Committee on Health, then to the Committee on Finance
115	Committee on Legislative Management, then to the Committee on Finance	141	Committee on Health
		142	Committee on Health, then to the Committee on Finance
		143	Committee on Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
		144	Committee on Consumer Protection & Commerce, then to the Committee on Finance

145	Committee on Human Services, then to the Committee on Finance	171	Jointly to the Committee on Transportation and the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
146	Committee on Education, then to the Committee on Finance	172	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
147	Committee on Judiciary, then to the Committee on Finance	173	Committee on Water & Land, then to the Committee on Finance
148	Committee on Education, then to the Committee on Health, then to the Committee on Finance	174	Jointly to the Committee on Transportation and the Committee on Water & Land, then to the Committee on Finance
149	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance	175	Committee on Transportation, then to the Committee on Finance
150	Committee on Education, then to the Committee on Finance	176	Committee on Transportation, then to the Committee on Finance
151	Committee on Higher Education, then to the Committee on Finance	177	Committee on Transportation, then to the Committee on Finance
152	Committee on Consumer Protection & Commerce, then to the Committee on Finance	178	Committee on Water & Land, then to the Committee on Finance
153	Committee on Health, then jointly to the Committee on Education and the Committee on Higher Education	179	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance
154	Committee on Finance	180	Committee on Education, then to the Committee on Finance
155	Committee on Economic Development & Business, then to the Committee on Finance	181	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance
156	Committee on Health, then to the Committee on Judiciary	182	Committee on Consumer Protection & Commerce, then to the Committee on Finance
157	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance	183	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
158	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance	184	Committee on Economic Development & Business, then to the Committee on Higher Education
159	Committee on Water & Land, then jointly to the Committee on Judiciary and the Committee on Finance	185	Jointly to the Committee on Transportation and the Committee on Water & Land, then to the Committee on Finance
160	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	186	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance
161	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Water & Land, then to the Committee on Finance	187	Committee on Energy & Environmental Protection, then to the Committee on Finance
162	Jointly to the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	188	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance
163	Committee on Energy & Environmental Protection, then to the Committee on Finance	189	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Transportation, then to the Committee on Finance
164	Committee on Health, then to the Committee on Finance	190	Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
165	Committee on Higher Education, then to the Committee on Finance	191	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
166	Committee on Education, then to the Committee on Finance	192	Committee on Water & Land, then to the Committee on Finance
167	Committee on Legislative Management, then to the Committee on Finance	193	Committee on Education, then to the Committee on Consumer Protection & Commerce
168	Committee on Education, then to the Committee on Finance		
169	Committee on Transportation, then to the Committee on Finance		
170	Committee on Labor & Public Employment, then to the Committee on Finance		

- 194 Committee on Legislative Management, then to the Committee on Finance
- 195 Committee on Water & Land, then to the Committee on Legislative Management, then to the Committee on Finance
- 196 Committee on Economic Development & Business, then to the Committee on Finance
- 197 Committee on Agriculture, then to the Committee on Transportation, then to the Committee on Finance
- 198 Committee on Agriculture, then to the Committee on Finance
- 199 Committee on Transportation, then to the Committee on Finance
- 200 Committee on Public Safety, then to the Committee on Finance
- 201 Committee on Finance
- 202 Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance
- 203 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business, then to the Committee on Finance
- 204 Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land
- 205 Committee on Education, then to the Committee on Finance
- 206 Committee on Education, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

S.B.

No. **Re-referred to:**

- 1311, Jointly to the Committee on Health and the Committee on
SD2 Consumer Protection & Commerce, then to the Committee on
Finance

ADJOURNMENT

At 12:42 o'clock p.m., on motion by Representative Evans, seconded by Representative Pouha and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 15, 2016.