

Honolulu, Hawaii

APR - 1 2010

RE: H.B. No. 2923
H.D. 2
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B.
No. 2923, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC LANDS,"

begs leave to report as follows:

The purpose of this measure is to establish procedures
regarding the leasing of Hawaiian home lands for commercial or
multipurpose projects.

More specifically, this measure:

- (1) Directs the Department of Hawaiian Home Lands to
establish a process for consulting with beneficiaries
prior to awarding leases for commercial and multipurpose
projects;
- (2) Authorizes the one-time extension of commercial and
multipurpose project leases for up to twenty years;
- (3) Sets aside twenty per cent of all revenues from
commercial and multipurpose leases to be deposited into
the native Hawaiian rehabilitation fund; and
- (4) Requires annual reports to the Legislature and United
States Department of the Interior regarding leases of
available lands for commercial and multipurpose
projects.



3038

Any written comments submitted regarding the measure may be reviewed on the Legislature's website.

Your Committee finds that pursuant to section 101, Hawaiian Homes Commission Act, 1920, as amended, the Hawaiian home lands are intended to establish "a permanent land base for the benefit and use of native Hawaiians, upon which they may live, farm, ranch, and otherwise engage in commercial or industrial or any other activities as authorized in this Act." Your Committee also finds that commercial projects intended to raise revenue for the benefit of native Hawaiians sometimes result in short- and long-term negative consequences for the beneficiaries that are not adequately addressed. Your Committee further finds that this measure will help to ensure that native Hawaiians, either directly or through native Hawaiian community organizations, will benefit from commercial and multipurpose projects.

Your Committee has amended this measure by:

- (1) Correcting a citation to refer to the Hawaiian Homes Commission Act, rather than the Hawaii Revised Statutes;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical amendments for the purposes of clarity, consistency, and style.

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 H.B. No. 2923, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2923, H.D. 2, S.D. 2.

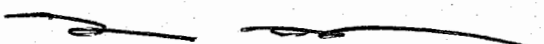
Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:
HB 2923 HDZ SD1	WTL, WAM	3/31/10
<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
KIM, Donna Mercado (C)	/	
TSUTSUI, Shan S. (VC)	/	
CHUN OAKLAND, Suzanne	/	
ENGLISH, J. Kalani	/	
FUKUNAGA, Carol	/	
GALUTERIA, Brickwood	/	
HEE, Clayton	/	
HOOSER, Gary L.	/	
KIDANI, Michelle N.	/	
KOKUBUN, Russell S.	/	
TOKUDA, Jill N.	/	
HEMMINGS, Fred	/	
TOTAL	12	0 0 0
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