

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 995

S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 995, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,"

begs leave to report as follows:

The purpose of this measure is to address the additional income and proceeds that the Office of Hawaiian Affairs is to receive from the public land trust pursuant to article XII, sections 4 and 6, of the Hawaii Constitution, for the period November 7, 1978 to July 1, 2009.

Specifically, this measure:

- (1) Conveys certain parcels of real property in fee simple to the Office of Hawaiian Affairs; and
- (2) Supports the conveyance with appropriate provisions, such as exempting all the conveyed lands from the definition of "public lands" in chapter 171, Hawaii Revised Statutes, and exempting the conveyed lands located in Kakaako from the authority of the Hawaii community development authority under chapter 206E, Hawaii Revised Statutes.

Your Committee received one written comment on this measure. A copy of the written comment submitted is available for review on the Legislature's website.



Your Committee finds that this measure allows the State to effectively and responsibly meet part of its constitutional obligation to native Hawaiians by addressing the additional amount of income and proceeds that the Office of Hawaiian Affairs is to receive from the public trust for the period November 7, 1978, to July 1, 2009.

Your Committee amended this measure by making technical, nonsubstantive amendments and changing the effective date to July 1, 2070, to facilitate further discussion on the measure.

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. 995, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 995, 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.:* SB995, SD1	Committee Referral: WTL, WAM	Date: FEB 27, 2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
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	8			4
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: 				
Distribution: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Original File with Committee Report </div> <div style="text-align: center;"> <input type="checkbox"/> Yellow Clerk's Office </div> <div style="text-align: center;"> <input type="checkbox"/> Pink Drafting Agency </div> <div style="text-align: center;"> <input type="checkbox"/> Goldenrod Committee File Copy </div> </div>				

*Only one measure per Record of Votes