STAND. COM. REP. NO. 220

Honolulu, Hawaii

RE: H.B. No. 222 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred H.B. No. 222 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS,"

begs leave to report as follows:

The purpose of this bill is to statutorily require that:

- (1) All revenue derived from the public land trust shall be expended by the Department of Hawaiian Home Lands (DHHL) for the development of farm and home ownership without affecting the pro rata share to be distributed to the Office of Hawaiian Affairs (OHA);
- (2) Specified state departments and agencies that collect revenue from lands within the public land trust determine and transfer five percent of that revenue collected from the lands within thirty days of the close of each fiscal quarter; and
- (3) The Governor may fix the amounts to be transferred by those specified departments and agencies.

The Sovereign Councils of the Hawaiian Homelands Assembly testified in support of this measure. DHHL and the Department of Transportation supported the intent of this bill. The Department of Land and Natural Resources (DLNR), the Department of the



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Attorney General, and the Department of Budget and Finance (B&F) offered comments.

Your Committee notes that DLNR and B&F have expressed some concerns regarding the implementation of this program. However, your Committee finds the purpose of this measure warrants further discussion.

Your Committee has amended this bill by:

- (1) Placing its provisions for the determination, receipt, and transfer of revenues derived from public land trust lands into Act 178, Session Laws of Hawaii 2006, and thereby using the existing receipt and transfer mechanism in the Act that is used to transfer such revenues to the OHA;
- (2) Providing a discussion of section 5(f) of the Admission Act that provides the basis for using public land trust revenues for the development of farm and home ownership; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 222, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 222, H.D. 1, and be referred to the Committee on Water, Land, & Ocean Resources.

> Respectfully submitted on behalf of the members of the Committee on Hawaiian Affairs,

FAYE HANOHANO, Chai

State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Hawaiian Affairs

Bill/Resolution No.: HBZZZ	Committee Referral:	Date	2/9/11	1
HBZZZ HAW, WLO, FIN Z/9/11 The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Year Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
HAW Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)	J			
2. LEE, Chris (VC)				
3. BELATTI, Della Au				
4. JORDAN, Jo			1. J.	
5. MIZUNO, John M.				
6. MORIKAWA, Dee			а. — Ф	
7. WOOLEY, Jessica				
8. YAMANE, Ryan I.				· · · · · · · · · · · · · · · · · · ·
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9. PINE, Kymberly Marcos				B
10. WARD, Gene		✓		
·				
TOTAL (10)	8	2	0	0
The recommendation is: Image: Adopted grad and the support recommendation. If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

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