STAND. COM. REP. NO. 572

Honolulu, Hawaii **Feb (8**, 2011

RE: H.B. No. 396 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 Judiciary, to which was referred H.B. No. 396 entitled:

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

begs leave to report as follows:

The purpose of this bill is to require members of certain state boards, councils, and commissions to undergo mandatory training relating to native Hawaiian and Hawaiian traditional and customary rights, natural resource protection and access rights, and the public trust.

The Office of Hawaiian Affairs, Hanalei Watershed Hui, Native Hawaiian Legal Corporation, Association of Hawaiian Civic Clubs, Oahu Council - Association of Hawaiian Civic Clubs, Ko'olaupoko Hawaiian Civic Club, and a concerned individual supported this bill. The Libertarian Party of Hawaii and several concerned individuals opposed this bill. The Department of Land and Natural Resources submitted comments.

Your Committee has amended this measure by:

 Deleting the members of the Land Use Commission, Environmental Council, Board of Directors of the Agribusiness Development Corporation, Board of Agriculture, and the Board of Health from the mandatory training requirement provisions;

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- (2) Changing its effective date to January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 396, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 396, H.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

Chair GILBERT KEITH



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 396	Committee Referral: HAW, JUO, FIN	Date:	17/11	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to:				
Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)	· ·		
2. RHOADS, Karl (VC)				
3. BROWER, Tom	~			
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele				~
6. HERKES, Robert N.	~			
7. ITO, Ken				
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				
10. MORITA, Hermina M.				
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.			~	
13. TSUJI, Clift				
14. FONTAINE, George R.				
15. MARUMOTO, Barbara C.	/			
16. THIELEN, Cynthia	~			
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TOTAL (16)	10	0	1	5
The recommendation is: 🕅 Adopted 🗆 Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				