

STAND. COM. REP. NO. **3118**

Honolulu, Hawaii

MAR 30 2012

RE: S.R. No. 27
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Water, Land, and Housing and Hawaiian Affairs, to which was referred S.R. No. 27 entitled:

"SENATE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TRANSFER A PORTION OF THE REVENUE DERIVED FROM THE CONVEYANCE OR TRANSFER OF ANY LAND OF THE PUBLIC LAND TRUST TO THE OFFICE OF HAWAIIAN AFFAIRS,"

beg leave to report as follows:

The purpose and intent of this measure is to urge the Department of Land and Natural Resources to transfer a portion of the revenue derived from the conveyance or transfer of any land of the public land trust to the Office of Hawaiian Affairs.

Your Committees received testimony in support of this measure from the Association of Hawaiian Civic Clubs and one individual. Testimony in opposition to this measure was received from the Department of Land and Natural Resources. The Office of Hawaiian Affairs submitted comments.

Your Committees find that Native Hawaiian claims to ceded lands remain unresolved and steps should be taken to facilitate their resolution. Existing statutory language regarding determinations of the amounts to be distributed to the Office of Hawaiian Affairs are too ambiguous, which leaves the language open to different and conflicting interpretations. This measure expedites revenue disbursement by determining a clear and appropriate interpretation for a one-time disbursement amount to be derived at the time of conveyance.



Your Committees have amended this measure by:

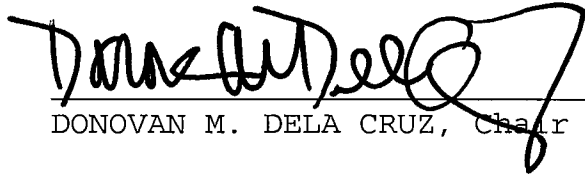
- (1) Requesting the Attorney General to provide input and assist the Department of Land and Natural Resources and Office of Hawaiian Affairs in determining the fair market value of the ceded lands at the time of conveyance; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Housing and Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 27, as amended herein, and recommend that it be referred to the Committee on Ways and Means, in the form attached hereto as S.R. No. 27, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land, and
Housing and Hawaiian Affairs,



BRICKWOOD GALUTERIA, Chair



DONOVAN M. DELA CRUZ, Chair



Record of Votes
Committee on Water, Land and Housing
WLH

*Only one measure per Record of Votes

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* SR 27	Committee Referral: WLH/HWN, WAM	Date: 3/23/12		
<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;"> <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 </div>				
Members	Aye	Aye (WR)	Nay	Excused
GALUTERIA, Brickwood (C)	✓			
RYAN, Pohai (VC)	✓			
ENGLISH, J. Kalani				✓
HEE, Clayton				✓
KAHELE, Gilbert				✓
KIDANI, Michelle N.	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
TOTAL	5			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between;"> Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes