Honolulu, Hawaii

March 19

2013

RE:

S.B. No. 407

S.D. 1

H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Ocean, Marine Resources, & Hawaiian Affairs, to which was referred S.B. No. 407, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS,"

begs leave to report as follows:

The purpose of this measure is to protect native Hawaiian burial sites by clarifying ambiguous statutory language regarding composition and quorum requirements for island burial councils.

The Department of Land and Natural Resources, Association of Hawaiian Civic Clubs, Society for Hawaiian Archaeology, and an individual provided testimony in support of this measure. The Office of Hawaiian Affairs and the Kahoolawe Island Reserve Commission provided comments on this measure.

Your Committee has amended this measure by:

- (1) Specifying that at least two regional representative seats on each council shall be appointed by the Governor from a list submitted by the Office of Hawaiian Affairs;
- (2) Clarifying the process and timeline by which the Office of Hawaiian Affairs and the Department of Land and Natural Resources submit lists nominating individuals to fill vacancies on the councils;

- (3) Clarifying that notwithstanding the amendments made to the requirements for council members, current sitting council members may serve the remainders of their terms; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Department of Land and Natural Resources stated that it has not had time to review the language proposed by the Office of Hawaiian Affairs and adopted by your Committee.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 407, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 407, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Ocean, Marine Resources, & Hawaiian Affairs,

FAYE P. HANOHANO, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

Bill/Resolution No.: GB 407 GD	Committee Referral:	Dates	3/13	12013
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
OMH Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)				
A CHILLEN D. THE (MC)				
2. CULLEN, Ty J.K. (VC)				
3. COFFMAN, Denny				
4. EVANS, Cindy				
5. KAWAKAMI, Derek S.K.				
6. LEE, Chris				
7. LOWEN, Nicole E.				
8. FALE, Richard Lee				·
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TOTAL (8)	_ 5		\mathcal{O}	2
The recommendation is: If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				