stand. COM. REP. NO. 229

Honolulu, Hawaii

FEB 1 8 2016 RE: S.B. NO. 3029 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred S.B. No. 3029 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to appropriate funds for the administrative and operating expenses of the Department of Hawaiian Home Lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Association of Hawaiian Civic Clubs; Ka Lāhui Hawai'i Political Action Committee; Paukukalo Hawaiian Homes Community Association; Waimānalo Hawaiian Homes Association; Keaukaha Community Association; Kalama'ula Mauka Homestead Association; Pana'ewa Hawaiian Home Lands Community Association; Kailapa Community Association; Kapaakea Hawaiian Homestead Association; Moku O Keawe Homestead Alliance; KAFarmers Hui; Ho'omana Pono, LLC; Auamo I Na Alaka'i; Papakolea Community Development Corporation; and forty-six individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee finds that the Hawaii State Constitution requires the Legislature to fund the administration and operating budget of the Department of Hawaiian Home Lands. Your Committee also finds that the appropriation to the Department of Hawaiian



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Home Lands for fiscal year 2015-2016 does not fully fund the administrative and operating expenses of the Department.

Accordingly, your Committee has amended this measure by:

- Adding a blank appropriation for the Department of Hawaiian Home Lands for fiscal year 2015-2016;
- (2) Removing the amount of the appropriation for fiscal year 2016-2017;
- (3) Changing the effective date of the measure to be upon approval; provided that the appropriation for fiscal year 2016-2017 shall be effective on July 1, 2016; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Your Committee has heard the testimony of the Department of Hawaiian Home Lands and others asserting that the funds appropriated to the Department have been insufficient. Accordingly, your Committee requests that if your Committee on Ways and Means chooses to hear this measure that it appropriate funds to bring the total appropriation for the Department for fiscal year 2015-2016 to \$28,000,000, and also appropriate \$28,000,000 for the Department for fiscal year 2016-2017.

Your Committee also affirms that by law, the total appropriation of funds to any department or establishment in the State is and shall be set by the Legislature. This measure may not in any way be interpreted as a concession of this authority.

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 S.B. No. 3029, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3029, S.D. 1, and be referred to your Committee on Ways and Means.

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

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MAILE S.L. SHIMABUKURO, Chair



The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Hawaiian Affairs HWN

Bill / Resolution No.:*	Committee Referral:		Date:		
SB 3029	HWN, WAM		2/10/16		
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Ауе	Aye (W	R) Nay	Excused
SHIMABUKURO, Maile S.L. (C)		1			
ENGLISH, J. Kalani (VC)		/			
INOUYE, Lorraine R.		1			
KIM, Donna Mercado		/			
SLOM, Sam					/
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TOTAL					
Recommendation:					
Chair's or Designee's Signature; A. Kalani Eglish					
Distribution: Original File with Committee Re	Yellow Pink port Clerk's Office Drafting Agency				oldenrod tee File Copy

*Only one measure per Record of Votes