

STAND. COM. REP. NO.

2476

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 2984
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
S.B. No. 2984 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION
ACT,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit lessees who sell or transfer their interest in a Hawaiian home lands tract from being placed on the waiting list maintained by the Department of Hawaiian Home Lands for an additional lease.

Your Committee received testimony in support of this measure from Council Member Stacy Helm Crivello, Maui County Council; Hawaiian Civic Club of Honolulu; Ho'omanapono Political Action Committee; and one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and the Department of the Attorney General.

Your Committee finds that churning is the practice of obtaining a Hawaiian home lands lease then selling or conveying it to others for a fee or other personal gain, then being placed on the waiting list to receive another lease. Currently, there are 44,429 applications currently in the system, and the numbers continue to grow. Your Committee further finds the large number of applications is due in part to an applicant being allowed to submit more than one application for the different awards of



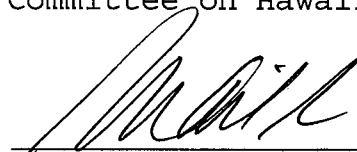
leases, such as pastoral, agricultural, and residential leases, where the applicant is eligible to apply for all three and hoping to receive just one award. With the number of applications continuing to grow, some eligible native Hawaiians may never obtain a lease or remain on the list for an extended number of years before receiving a lease. Your Committee finds this practice of churning unacceptable, as it prevents many native Hawaiians from ever obtaining a lease, and that this practice needs to be prohibited to ensure fair distribution of leases to eligible recipients.

Your Committee has amended this measure, as suggested by the Department of the Attorney General, by:

- (1) Moving the proposed language from section 208 to section 207 of the Hawaiian Homes Commission Act, 1920, as amended;
- (2) Deleting the proposed amendment to section 209, Hawaiian Homes Commission Act, 1920, as amended; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2984, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2984, S.D. 1, and be referred to your Committee on Judiciary.

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

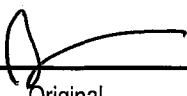


MAILE S.L. SHIMABUKURO, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2984</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HWN, TDC</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/6/18</div>		
<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; margin-top: 10px;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
ENGLISH, J. Kalani	✓			
GREEN, Josh				✓
RIVIERE, Gil				✓
TOTAL	3			2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;">  </div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes