

STAND. COM. REP. NO. 1251

Honolulu, Hawaii

MAR 01, 2019

RE: H.B. No. 402
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 402, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INCREASING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF PUBLIC LAND TRUST FUNDS,"

begs leave to report as follows:

The purpose of this measure is to enact legislation as an interim measure to provide the Office of Hawaiian Affairs (OHA) with the funds to which it is entitled under Article XII, section 6 of the Hawaii State Constitution and section 10-13.5, Hawaii Revised Statutes. Specifically, this measure:

- (1) Establishes an unspecified amount as the pro rata share of public land trust revenues due annually to OHA, beginning with the 2019-2020 fiscal year;
- (2) Transfers an unspecified amount to OHA as reimbursement for amounts underpaid from public land trust revenues for the period between July 1, 2012 and June 30, 2019;
- (3) Establishes procedures for the transfer of an unspecified amount to OHA at the close of each fiscal year from Executive Branch departments and agencies, including the University of Hawaii, that collect receipts from land within the public land trust; and



- (4) Requires that all income and proceeds of public land, which includes funds transferred to OHA, be audited annually.

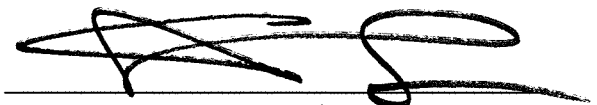
Kamehameha Schools, Ko'olau Foundation, Ko'olaupoko Hawaiian Civic Club, Hawaiian Affairs Caucus of the Democratic Party of Hawai'i, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Ke One O Kākuhihewa, Kalihi-Palama Hawaiian Civic Club, Native Hawaiian Chamber of Commerce, Association of Hawaiian Civic Clubs, Prince Kūhiō Hawaiian Civic Club, Kailapa Community Association, Hawaiian Civic Club of Honolulu, Trilogy Corporation, Hālau Ke'alaokamaile, Hawai'i Council of the Association of Hawaiian Civic Clubs, Sierra Club of Hawai'i, Hakipu'u Learning Center, and several individuals submitted testimony in support of this measure.

The Center for Hawaiian Sovereignty Studies submitted testimony in opposition to this measure.

The Office of Hawaiian Affairs, Department of the Attorney General, Department of Transportation, Department of Budget and Finance, Department of Land and Natural Resources, Department of Agriculture, University of Hawaii, Hawaii Health Systems Corporation, Council for Native Hawaiian Advancement, and many individuals offered comments on this measure.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 402, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Finance,


SYLVIA LUKE, Chair

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB402, HD1	Committee Referral: WLH, FIN	Date: 2/28/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)	/			
2. CULLEN, Ty J.K. (VC)	/			
3. ELI, Stacelynn K.M.	/			
4. GATES, Cedric Asuega	/			
5. HASHIMOTO, Troy N.	/			
6. HOLT, Daniel	/			
7. KITAGAWA, Lisa	/			
8. KOBAYASHI, Bertrand	/			
9. MATAYOSHI, Scot Z.	/			
10. NAKAMURA, Nadine K.	/			
11. NISHIMOTO, Scott Y.	/			
12. TODD, Chris	/			
13. WILDBERGER, Tina	/			
14. YAMASHITA, Kyle T.	/			
15. McDERMOTT, Bob	/			
TOTAL (15)	15	0	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: C.J.K.				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				