

STAND. COM. REP. NO.

580

Honolulu, Hawaii

FEB 19 , 2021

RE: H.B. No. 1122
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1122, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend the Hawaiian Homes Commission Act to give clarity and guidance to the Department of Hawaiian Home Lands in the management of homestead lands. Specifically, this measure:

- (1) Defines "beneficiary consultation" and determines when it is required;
- (2) Prohibits the Department of Hawaiian Home Lands from disposing of certain lands or extending a general lease to non-beneficiaries, unless there are no applicants seeking to enter into a lease for the use and occupancy of a tract of Hawaiian Home Lands;
- (3) Requires the Department of Hawaiian Home Lands to notify beneficiaries through beneficiary consultation before disposing of Hawaiian home lands or improvements thereon;

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- (4) Mandates Homestead Beneficiary Agreements for any trust land disposition;
- (5) Prohibits the Department of Hawaiian Home Lands from establishing additional criteria to enter into a lease with an applicant without notifying beneficiaries through beneficiary consultation;
- (6) Authorizes the Department of Hawaiian Home Lands to grant a license or enter into a general lease for public purpose or mercantile establishments;
- (7) Allocates the interest or other earnings from the Hawaiian Home Loan Fund and Hawaiian Home General Loan Fund into their respective funds;
- (8) Allows for the interest or other earnings out of investments from the Hawaiian Home Loan Fund to be deposited into the Hawaiian Home Operating Fund if the Department of Hawaiian Home Lands notifies beneficiaries through beneficiary consultation;
- (9) Requires the Department of Hawaiian Home Lands to make loans from revolving funds to any lessee or native Hawaiian to whom, or any cooperative association to which, a lease or license has been issued;
- (10) Requires the Department of Hawaiian Home Lands to submit a quarterly report to the Legislature and beneficiaries; and
- (11) Authorizes the Department of Hawaiian Home Lands to negotiate with homestead association governed water agencies to maintain water systems before other service providers.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.



Your Committee finds that this measure seeks to improve the administration of the Hawaiian Homes Commission Act for its intended purpose, namely, the issuance of residential, farm, ranch, and mercantile lands to native Hawaiians.

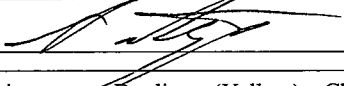
As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1122, H.D. 1, and recommends that it be referred to your Committee on Finance.

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


MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 1122 HDI	Committee Referral: WAL, JHA, FIN	Date: 2-17-21		
<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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.				✓
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.				✓
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
TOTAL (12)	10	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted 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				