STAND. COM. REP. NO. 100

Honolulu, Hawaii

APR 1 9 2021

RE: H.C.R. No. 76 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.C.R. No. 76, S.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO ASSESS THE STATUS OF ACT 14, SPECIAL SESSION LAWS OF HAWAII 1995, AND THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED,"

begs leave to report as follows:

The purpose and intent of this measure is to request the establishment of a working group to assess the status of Act 14, Special Session Laws of Hawaii 1995, and the Hawaiian Homes Commission Act of 1920, as amended.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations. Your Committee received testimony in opposition to this measure from the Department of Hawaiian Home Lands. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Legislature passed Act 14, Special Session Laws of Hawaii 1995 (Act 14), to provide for a full settlement of all land claims made on behalf of the Hawaiian Home Lands Trust against the State between August 1, 1959, and July 1, 1988, established the Hawaiian Homes Lands Trust Fund, and required the State to make twenty annual deposits of \$30,000,000



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or their discounted equivalent into the Fund for purposes of resolving the State's obligations under the Hawaiian Homes Commission Act of 1920, as amended. Your Committee further finds that over twenty-five years have passed since the enactment of Act 14, and that despite the assurances of fulfilling homestead obligations to Hawaiian Homes Commission Act (HHCA) beneficiaries, the need for affordable housing for beneficiaries remains great. More than two thousand native Hawaiian beneficiaries have died while on the Hawaiian homes waiting list for a home land lease, and twenty-eight thousand beneficiaries currently remain on the list, causing HHCA beneficiaries to languish. Your Committee additionally finds that the existing status of Act 14 and whether its mandates to provide for a settlement of all state land claims is unknown. This measure requests the establishment of a working group to assess the status of the State's obligations pursuant to Act 14.

Your Committee has amended this measure by:

- Amending the working group membership to add the Chairperson of the Sovereign Council of Hawaiian Homestead Associations or the chairperson's designee and any other member deemed necessary by the working group; and
- (2) 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 Judiciary that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 76, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 76, S.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

Kel nem

KARL RHOADS, Chair



The Senate Thirty-First Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral: Da			ate:	
HCR76, 501	HWN IWTL, JDC			4/16/2021	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended X Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		>			
KEOHOKALOLE, Jarrett (VC)		\checkmark			
ACASIO, Laura					
GABBARD, Mike					\checkmark
KIM, Donna Mercado		\checkmark		1	
LEE, Chris		>			
FEVELLA, Kurt					
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TOTAL		6	Ð	0	1
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature: Kal Nherch					
Distribution: Original File with Committee Re	Yellow Pink Goldenrod Report Clerk's Office Drafting Agency Committee File Copy				

*Only <u>one</u> measure per Record of Votes