

STAND. COM. REP. NO.

1788

Honolulu, Hawaii

APR 19 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



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:

- (1) 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,



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KARL RHOADS, Chair



