STAND. COM. REP. NO. 144

Honolulu, Hawaii

FEB 1 0 2023

RE: S.B. No. 1582

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred S.B. No. 1582 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS,"

begs leave to report as follows:

The purpose and intent of this measure is to ensure that the \$600,000,000 appropriated to the Department of Hawaiian Home Lands in Act 279, Session Laws of Hawaii 2022 (Act 279), is available for expenditure until June 30, 2025, as intended.

Your Committee received testimony in support of this measure from the Office of the Governor, Department of Hawaiian Home Lands, Department of Budget and Finance, Office of the Mayor of the County of Maui, Hui KakoʻoʻĀina Hoʻopulapula, Hawaiʻi Alliance for Community-Based Economic Development, and one member from the County Council of the County of Maui. Your Committee received comments on this measure from the Department of the Attorney General and Tax Foundation of Hawaii.

Your Committee finds that Act 279 appropriated \$600,000,000 out of the general revenues of the State of Hawaii to provide a multi-pronged approach to reducing the over twenty-eight thousand applicants on the Department of Hawaiian Homelands waitlist. Your Committee further finds that, while Act 279 stipulated that moneys not encumbered shall lapse to the general fund on June 30, 2025, article VII, section 11, of the Hawaii State Constitution

generally requires that no appropriations be made for a period exceeding three years. Thus, Act 279 may be subject to constitutional challenge. Therefore, this measure amends Act 279 in accordance with constitutional requirements to allow for the expenditure of funds until June 30, 2025, as originally provided by the Legislature.

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. 1582 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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

MAILE S.L. SHIMABUKURO, Chair

## The Senate Thirty-Second Legislature State of Hawai'i

## Record of Votes Committee on Hawaiian Affairs HWN

Bill / Resolution No.:*	Committee	Committee Referral:		Date:		
SB 1582	HWN, WAM		02/07/2023			
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (W	'R)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)						
FEVELLA, Kurt (VC)						
IHARA, Jr., Les						
KEOHOKALOLE, Jarrett						
RICHARDS, III, Herbert M. "Tim"						
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TOTAL		5				
Recommendation:  Adopted  Not Adopted						
Chair's or Designee's Signature:						
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy						

\*Only one measure per Record of Votes