

STAND. COM. REP. NO.

1354

Honolulu, Hawaii

MAR 21, 2023

RE: S.B. No. 738
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 738, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize the Department of Hawaiian Home Lands to:

- (1) Administer a lease award program for beneficiaries on the waiting list who are at least sixty years old or terminally ill and provide those beneficiaries with an option to designate a qualified successor; and
- (2) Grant posthumous lease awards directly to qualified successors of beneficiaries who were on the waiting list; provided that the successors file a claim for a lease award within four years of the effective date of this measure.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Hydroponics Alternatives LLC, and eleven individuals. Your Committee received testimony in opposition to this measure from

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one individual. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that this measure will provide an avenue for certain beneficiaries awaiting a homestead lease to receive lease awards and allow these beneficiaries to designate a qualified successor.

Your Committee has amended this measure by:

- (1) Clarifying that the posthumous lease awards are for qualified successors of beneficiaries who, at the time death, were:
 - (A) At least sixty years old or terminally ill; and
 - (B) On the waiting list;
- (2) Defining the term "terminally ill"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

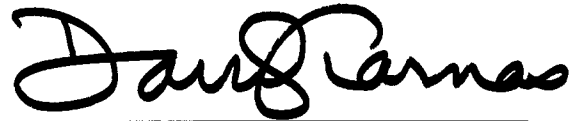
Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider providing the Department of Hawaiian Home Lands with two years to effectuate this measure.

Your Committee notes that, if necessary, this measure may require consultation with the United States Department of the Interior and approval by Congress.

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 S.B. No. 738, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 738, S.D. 2, H.D. 1, and be referred to your Committee on Finance.



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



DAVID A. TARNAS, Chair



