STAND. COM. REP. NO. 686 -24

Honolulu, Hawaii **FEB 2 9**, 2024 RE: H.B. No. 2692 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2692 entitled:

"A BILL FOR AN ACT RELATING TO THE MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to:

- Authorize two or more members of the Mauna Kea Stewardship and Oversight Authority, including a number of members that would constitute a quorum, to meet during the transition period for stewardship of Mauna Kea, subject to certain conditions; and
- (2) Clarify that the Authority has state sovereign immunity.

Your Committee received testimony in support of this measure from the Mauna Kea Stewardship and Oversight Authority and three individuals. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs; Public First Law Center; KAHEA: The Hawaiian-Environmental Alliance; League of Women Voters of Hawaii; and three individuals. Your Committee received comments on this measure from the Office of Information Practices.

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Your Committee finds that the Mauna Kea Stewardship and Oversight Authority was established to provide the Native Hawaiian community sufficient and genuine input on the management of Mauna Kea to further facilitate a more harmonious coexistence of activities atop Mauna Kea in a culturally sensitive manner. Because the Mauna Kea Stewardship and Oversight Authority has a limited amount of time to determine and establish several key frameworks and plans for the management of Mauna Kea, it is critical to provide the Authority with some flexibility during the transition period to meet in settings to find solutions to the difficult matters it faces.

Your Committee has amended this measure by:

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- Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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. 2692, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2692, H.D. 1, and be placed on the calendar for Third Reading.

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

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives

The Thirty-second Legislature HSCR 686-24

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HBZ69Z	Committee Referral:	Date:	2-21-2	ef
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	/			
2. TAKAYAMA, Gregg (VC)				
3. EVSLIN, Luke A.	/			
4. GANADEN, Sonny			/	
5. HOLT, Daniel			-	
5. HOL1, Damei				
6. ICHIYAMA, Linda				
7. ILAGAN, Greggor	1			
8. KONG, Sam Satoru				
9. MIYAKE, Tyson K.				
9. MIYAKE, Tyson K.				
10. SOUZA, Kanani				
TOTAL (10)	7	-	3	-
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				