STAND. COM. REP. NO. 128 -24

Honolulu, Hawaii

MAR 15 , 2024

RE: S.B. No. 3363

S.D. 2 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 S.B. No. 3363, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to provide that a living beneficiary's place on the Department of Hawaiian Home Land's waiting list for any residential, agricultural, or pastoral tract may be designated for transfer to a successor if the living beneficiary dies before receiving an offer for a tract and that the successor is at least 1/32 Hawaiian.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and one individual.

Your Committee finds that the Hawaiian Homes Commission Act of 1920, P.L. 67-34 (HHCA), set aside two hundred thousand acres of land in trust and established trust funds for the use of the indigenous people of Hawaiii. The United States Congress intended that this Hawaiian Home Lands Trust would enable its beneficiaries

to return to their land to improve and perpetuate their self-sufficiency and cultural preservation. Under the HHCA, persons having at least fifty percent Hawaiian blood are eligible for homestead leases.

Your Committee further finds that the extensive waiting list results in many beneficiaries passing away before they may be awarded a lease. This measure would allow a living beneficiary to designate a successor to the beneficiary's place on the waiting list.

Your Committee has amended this measure by:

- (1) Specifying that the successor must also meet the fifty percent Hawaiian blood threshold, rather than allow the successor to only meet a 1/32 Hawaiian blood threshold; 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 S.B. No. 3363, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3363, 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

2024-2317 SB3363 HD1 HSCR HMSO

State of Hawaii House of Representatives The Thirty-second Legislature HSCR 1128-24

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB3363,SD2 Committee	e Referral:	Date	3.12.2	4
☐ 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)				
A THANKANA O THE	Stante Mai			
2. TAKAYAMA, Gregg (VC)				
3. EVSLIN, Luke A.				
				200
4. GANADEN, Sonny				
5. HOLT, Daniel				
6. ICHIYAMA, Linda				
U. ICIII I AWA, Emua				
7. ILAGAN, Greggor	/			
8. KONG, Sam Satoru				
9. MIYAKE, Tyson K.				
10. SOUZA, Kanani				
100 BOOZA, Ikululii				
TOTAL (10)	8	_	2	
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				