

STAND. COM. REP. NO. 1117

Honolulu, Hawaii

MAR 21 2007

RE: H.B. No. 1353
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.B. No. 1353, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED,"

begs leave to report as follows:

The purpose of this measure is to improve opportunities for Native Hawaiian homestead beneficiaries and increase engagement in the development of their Hawaiian homestead community by amending the Hawaiian Homes Commission Act of 1920, as amended, by authorizing moneys from the Hawaiian Home Receipts Fund to be transferred and deposited into the Native Hawaiian Rehabilitation Fund.

Testimony in support of this measure was submitted by the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, the State Council of Hawaiian Homestead Associations, and one individual.

The Hawaiian Home Receipts Fund is a holding fund into which interest moneys from loans or investments received by the Department of Hawaiian Home Lands are deposited. The Native Hawaiian Rehabilitation Fund, on the other hand, receives thirty per cent of the state receipts derived from cultivated sugar lands and from water licenses. These funds are used for the rehabilitation of Native Hawaiians and their families and the Hawaiian homestead communities, including educational, economic,

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political, social, and cultural processes by which the general welfare and conditions of Native Hawaiians are improved and perpetuated. Furthermore, the Native Hawaiian Rehabilitation Fund is used to fund grants, scholarships, and other activities that benefit Native Hawaiians and Native Hawaiian community organizations.

Your Committee finds that with the reduction in sugar cultivation in the recent years, proceeds into this fund have been decreasing, and allowing moneys from the Hawaiian Home Receipts Fund to be transferred into the Native Hawaiian Rehabilitation Fund will provide an additional source of revenue that can be used to carry out the purposes of this fund.

Your Committee further finds that more needs to be done to encourage Native Hawaiian homestead beneficiaries to participate and engage in the development of their Hawaiian homestead community. Thus, your Committee believes that adding the contents of S.B. No. 938, S.D. 1; S.B. No. 939, S.D. 1; and S.B. No. 940, S.D. 1, would encourage Native Hawaiian homestead beneficiary participation.

Accordingly, your Committee has amended this measure by further amending the Hawaiian Homes Commission Act of 1920, as amended, by:

- (1) Designating the substantive provisions of the measure as received by your Committee as Part I;
- (2) Adding language from S.B. No. 938, S.D. 1, that requires the Department of Hawaiian Home Lands to consult with trust beneficiaries prior to implementing any project that includes commercial development on Hawaiian Home Lands Trust properties as Part II of this measure;
- (3) Adding language from S.B. No. 939, S.D. 1, that establishes a Hawaiian Home Lands Community Development Fund with revenue-sharing from commercial development projects to be used for community and cultural programming in Hawaiian homestead communities as Part III of this measure;
- (4) Adding language from S.B. No. 940, S.D. 1, that requires the Department of Hawaiian Home Lands to consult the trust beneficiaries prior to implementing any policies



and agreements that will lower the allowable loan limits for mortgage products designed for Hawaiian Home Lands Trust properties as Part IV of this measure; and

- (5) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee believes that this measure, as amended, fulfills the intent of this measure, which is to improve opportunities for Native Hawaiian homestead beneficiaries and increase engagement in the development of their Hawaiian homestead community.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1353, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1353, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,



RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Water, Land, Agriculture and Hawaiian Affairs
WAH

Bill / Resolution No.:* HB 1353 HD1	Committee Referral: WAH, WAM	Date: 3/19/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KOKUBUN, Russell S. (C)	X			
TOKUDA, Jill N. (VC)	X			
FUKUNAGA, Carol	X			
HEE, Clayton				X
SLOM, Sam	X			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 2em; margin-top: 10px;">Jill</div>				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes