

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2204
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2204, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,"

begs leave to report as follows:

The purpose of this bill is to further the Legislature's attempt to determine the pro rata portion of the public land trust to be transferred to, managed, and administered by the Office of Hawaiian Affairs (OHA) for the betterment of the conditions of native Hawaiians pursuant to Article XII, section 6 of the Hawaii Constitution. Specifically, this bill:

- (1) Stipulates that OHA's pro rata portion of the public land trust shall be \$15,100,000 per fiscal year and appropriates that sum to OHA;
- (2) Appropriates \$17,500,000 to pay OHA receipts from the use of lands within the public land trust that should have been transferred, but were not transferred previously to OHA between July 1, 2001, and June 30, 2005;
- (3) Requires the Department of Land and Natural Resources to account for receipts generated from the public land trust, and appropriates \$250,000 for that purpose; and



- (4) Specifies that this measure will not affect the claims of native Hawaiians to the income and proceeds of a pro rata portion of the public land trust.

OHA, the Attorney General, Native Hawaiian Chamber of Commerce, Native Hawaiian Hospitality Association, Native Hawaiian Legal Corporation, Alu Like, Inc., Na Pua No'eau, and Daughters and Sons of the Hawaiian Warriors-Mamakakaua testified in support of this bill. The Department of Land and Natural Resources (DLNR) opposed this measure in part and offered comments.

Your Committee wishes to note the concerns of DLNR that it may not have the resources to adequately account for the receipts generated by all state departments.

Your Committee has amended this bill by changing the effective date to July 1, 2020, to promote further discussion. Your Committee has also made technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2204, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2204, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



DWIGHT TAKAMINE, Chair



HSCR 918

State of Hawaii
House of Representatives
The Twenty-third Legislature

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB 2204, HD1		Date: 2.24.06		
Committee Referral: HAW, FIN		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAMINE, Dwight Y. (C)				✓
2. KAWAKAMI, Bertha C. (VC)	✓			
3. CARROLL, Mele				✓
4. CHONG, Pono	✓			
5. EVANS, Cindy	✓			
6. LEE, Marilyn B.	✓			
7. MAGAOAY, Michael Y.	✓			
8. NAKASONE, Bob	✓			
9. NISHIMOTO, Scott Y.	✓			
10. TANAKA, Kameo	✓			
11. TSUJI, Clift				✓
12. WAKAI, Glenn	✓			
13. YAMANE, Ryan I.	✓			
14. YAMASHITA, Kyle T.	✓			
15. MEYER, Colleen Rose				✓
16. MOSES, Mark S.		✓		
17. PINE, Kymberly	✓			
18. STEVENS, Anne V.				✓
TOTAL	12	1		5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <i>Bob Nakasone</i>				
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