

Honolulu, Hawaii

MAR 2 - 2006

RE: S.B. No. 2423  
S.D. 2

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2423, S.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 measure is to eliminate the requirement that the Department of Land and Natural Resources (DLNR) approve the Office of Hawaiian Affairs (OHA) land management plan for the management of kuleana lands before the lands can escheat to OHA. This measure also makes OHA a party to all actions to quiet title kuleana lands in which escheat is an issue, regardless of when the escheat is alleged to have occurred.

Testimony in support of this measure was submitted by OHA, DLNR, and one individual.

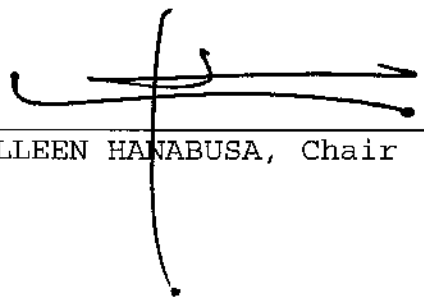
Your Committee finds that current law requires that the title of any kuleana land that escheats to OHA first pass to DLNR and be held in trust until OHA submits to DLNR, and DLNR approves, a land management plan. This measure removes the involvement of the DLNR from the process and clarifies the scope of OHA's escheat rights to kuleana lands. This measure also contains language that would ensure that OHA is a party to all actions to quiet title to kuleana land in which escheat is an issue.

Your Committee has amended this measure to make nonsubstantive, technical changes for clarity.



As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2423, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2423, S.D. 2.

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

  
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COLLEEN HANABUSA, Chair

