

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 2948  
S.D. 1

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2948 entitled:

"A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST,"

begs leave to report as follows:

The purpose of this measure is to appropriate funds to temporarily satisfy the State's obligation to pay the Office of Hawaiian Affairs its pro rata share of revenues derived from the public land trust.

Specifically, the measure, among other things:

- (1) Establishes that, until the Legislature finally resolves the issue of how the Office of Hawaiian Affairs' pro rata share of public land trust revenues is to be determined, beginning with fiscal year 2005-2006, the income and proceeds from the pro rata portion of the public land trust to be expended by the Office of Hawaiian Affairs, under Article XII, section 6, of the State Constitution, shall be \$15,100,000;
- (2) Requires certain executive departments and agencies to transfer \$3,775,000 of receipts generated by the public land trust to the Office of Hawaiian Affairs within thirty days after the end of each fiscal quarter;
- (3) Appropriates \$17,500,000 to pay the Office of Hawaiian Affairs receipts from the use of lands in the public



land trust that should have been transferred but previously were not transferred to the Office of Hawaiian Affairs between July 1, 2001, through June 30, 2005; and

- (4) Declares that nothing in the agreement contained in the measure is to be construed as resolving or settling, or be deemed to acknowledge the existence of, the claims of native Hawaiians to the income and proceeds of a pro rata portion of the public land trust under article XII, section 6, of the state constitution.

Your Committee finds that the agreement embodied in the measure does not extinguish past and future claims that the Office of Hawaiian Affairs may have regarding revenue payments from ceded lands.

Your Committee has amended the measure by reformatting the quoted material contained in the measure and by deleting the specific amount appropriated to ensure continued discussion on the issue.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2948, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2948, S.D. 1.

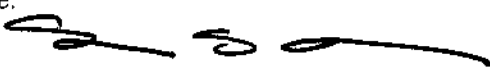
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Third Legislature  
State of Hawaii

Record of Votes of the  
Committee on Ways and Means  
(Bills and Resolutions)

Measure: SB 2948	Committee Referral: JHW, WAM	Date: 2/24/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <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	Ayes	Ayes(WR)	Nays	Excused
TANIGUCHI, Brian T. (C)	/			
TSUTSUI, Shan S. (VC)	/			
ENGLISH, J. Kalani				/
ESPERO, Will	/			
FUKUNAGA, Carol				/
HOOSER, Gary L.	/			
INOUE, Lorraine R.	/			
KANNO, Brian	/			
KIM, Donna Mercado	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SAKAMOTO, Norman				/
HEMMINGS, Fred	/			
SLOM, Sam	/			
TRIMBLE, Gordon		/		
TOTAL	11	1	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Do not list more than one measure per Record of Votes.