

STAND. COM. REP. NO.

732

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1440

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 S.B. No. 1440 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 properly effectuate the purposes of the Hawaiian Homes Commission Act of 1920, as amended, by authorizing the Department of Hawaiian Home Lands to adopt administrative rules that will prescribe terms, conditions, and restrictions on the transfer of Hawaiian homestead leases.

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

Section 208(5) of the Hawaiian Home Commission Act, 1920, as amended, describes the eligible class of Native Hawaiians to whom homestead lessees may transfer their lease interests. Hawaiian Home Land Trust beneficiaries and homestead residents have expressed numerous concerns regarding homestead lessees transferring their leases to other eligible beneficiaries for money. Your Committee finds that authorizing the Department of Hawaiian Home Lands to adopt administrative rules to establish lease conditions and restrictions will address this practice, and provide guidelines to prevent similar practices from occurring in the future. Your Committee further finds that beneficiary organizations and individuals should be afforded an opportunity to



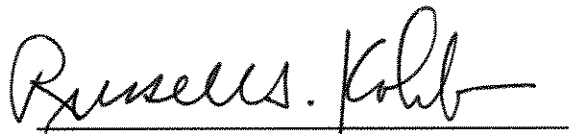
provide input in establishing an administrative framework of appropriate conditions or restrictions on homestead lease interest transfers.

Your Committee has amended this measure by adding language that declares that the amendments made by this measure to the Hawaiian Homes Commission Act of 1920 be severable.

Your Committee believes that this measure, as amended, will properly effectuate the purposes of the Hawaiian Homes Commission Act of 1920, as amended.

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 S.B. No. 1440, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1440, S.D. 1, and be placed on the calendar for Third Reading.

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.:* <i>S.B. 1440</i>	Committee Referral: <i>WAH</i>	Date: <i>2/9/07</i>		
<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)	<i>X</i>			
TOKUDA, Jill N. (VC)	<i>X</i>			
FUKUNAGA, Carol	<i>X</i>			
HEE, Clayton	<i>X</i>			
SLOM, Sam	<i>X</i>			
<b>TOTAL</b>	<i>5</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Jill N. Tokuda</i>				
Distribution:             Original             Yellow             Pink File with Committee Report             Clerk's Office             Drafting Agency				

\*Only one measure per Record of Votes