

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 938

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. 938 entitled:

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

begs leave to report as follows:

The purpose of this measure is to encourage Native Hawaiian homestead beneficiaries to participate and engage in the development of their Hawaiian homestead community by amending the Hawaiian Homes Commission Act of 1920, as amended, to require 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.

Testimony in support of this measure was submitted by the State Council of Hawaiian Homestead Associations, the Council for Native Hawaiian Advancement, the Waianae Kai Hawaiian Homestead Association, and three individuals. The Department of Hawaiian Home Lands submitted comments.

Commercial development can be an important tool in the administration of the Hawaiian Home Lands Trust. Prior beneficiary consultation of any potential commercial development plans on Hawaiian Home Lands will better serve the community that the Trust was intentionally created to serve. The Department of Hawaiian Home Lands has implemented regularly scheduled meetings with the trust beneficiaries. However, written testimony indicates that these meetings tend to concentrate on homestead



land operational issues or are informational sessions without the opportunity for input from the homestead residents and beneficiaries. Thus, your Committee finds that requiring the Department of Hawaiian Home Lands to consult the beneficiaries prior to engaging in any plans for commercial development on Hawaiian Home Lands will provide an increased opportunity for beneficiaries to actively engage in building their community, and creating spaces and opportunities for their community to perpetuate the Native Hawaiian culture, and live and work within or in close proximity to the Hawaiian Home Lands.

Your Committee has amended this measure by:

- (1) Adding language that declares any amendments made to the Hawaiian Homes Commission Act of 1920 be severable; and
- (2) Making technical, nonsubstantive amendments for the purposes of style and consistency.

Your Committee believes that this measure, as amended, fulfills the intent of this measure, which is to encourage Native Hawaiian homestead beneficiaries to participate and engage 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 S.B. No. 938, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 938, 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



