

STAND. COM. REP. NO.

76

Honolulu, Hawaii

Feb 6, 2009

RE: H.B. No. 1805

H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred  
H.B. No. 1805 entitled:

"A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE  
STATE,"

begs leave to report as follows:

The purpose of this bill is to allow a fair and just settlement between the State and the native Hawaiian people on ceded lands claims by placing a moratorium on the sale and exchange of ceded lands to preserve lands in the public lands trust until such time that there is a reconciliation between the State and the native Hawaiian people.

The Office of Hawaiian Affairs, Kamehameha Schools, Malama Kaua'i, Ko'olau Foundation, Kako'o O'iwi, Ko'olaupoko Hawaiian Civic Club, Hawaiian Political Action Council of Hawaii, Aha Kiolo Advisory Committee, Japanese American Citizens League, Honolulu Chapter, Life of the Land, Sovereign Councils of the Hawaiian Homelands Assembly, and numerous concerned individuals supported this bill. The Association of Hawaiian Civic Clubs supported this bill with amendments. Testimony in opposition to this measure was submitted by the Department of the Attorney General and Na Koa Ikaika o Ka Lahui Hawaii. The Department of Land and Natural Resources commented.


HB1805 HD1 HSCR HAW HMS 2009-1825



Bills similar to this measure that prohibit the sale, exchange or other alienation of ceded lands have been reported out of your Committee. Upon further reflection, your Committee has amended this measure to replace its provisions with those that prohibit the sale or exchange of ceded and other lands unless the Legislature gives prior approval by adopting a concurrent resolution by a two-thirds majority vote of each house. Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1805, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1805, H.D. 1, and be referred to the Committees on Water, Land, & Ocean Resources and Judiciary.

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



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MELE CARROLL, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCR 76

**Record of Votes of the Committee on Hawaiian Affairs**

<b>Bill/Resolution No.:</b> <span style="font-size: 1.2em;">HB 1805</span>	<b>Committee Referral:</b> <span style="font-size: 1.2em;">HAW, WLO/JUD, FIN</span>	<b>Date:</b> <span style="font-size: 1.2em;">Feb. 4. 2009</span>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HAW Members	Ayes	Ayes (WR)	Nays	Excused
1. CARROLL, Mele (C)	✓			
2. SHIMABUKURO, Maile S.L. (VC)	✓			
3. BELÀTTI, Della Au	✓			
4. BERTRAM, Joe, III	✓			
5. BROWER, Tom	✓			
6. MIZUNO, John M.	✓			
7. NISHIMOTO, Scott Y.	✓			
8. YAMANE, Ryan I.	✓			
9. WARD, Gene	✓			
<b>TOTAL (9)</b>	9	0	0	0
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				