

STAND. COM. REP. NO.

968

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 901

H.D. 2

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 901, H.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 bill is to make progress toward satisfying requirements in Article XII, sections 4, 5, and 6, of the Hawaii Constitution that a pro rata portion of the income and proceeds of the Public Lands Trust be paid to the Office of Hawaiian Affairs (OHA).

The Association of Hawaiian Civic Clubs and a concerned individual testified in support of this bill. The Department of the Attorney General, OHA, Catholic Charities Hawaii, and a concerned individual offered comments.

Your Committee has amended this bill by:

- (1) Deleting the dollar-value amount that represents the Legislature's re-examination and final determination of the resources that should be provided to OHA for the period between November 7, 1978, and July 1, 2008;
- (2) Changing the dates referenced for the tax-assessed value of certain properties proposed to be conveyed to OHA from 2008-2009 to 2007-2008;

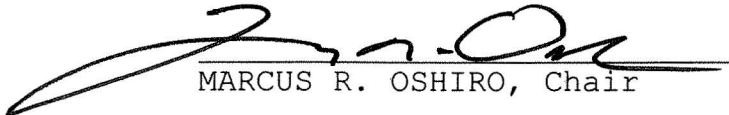
HB901 HD2 HSCR FIN HMS 2009-2830



- (3) Removing the provision that the land conveyed be held in trust by OHA and be transferred to the native Hawaiian nation upon its recognition by the United States and the State of Hawaii;
- (4) Clarifying that OHA may reject property to be conveyed to it on the latter of October 1, 2009, or six months after the State has provided OHA with access to certain documents and property;
- (5) Specifying the effective date of provisions excluding the conveyed land from the Kakaako Community Development District to July 1, 2014;
- (6) Changing the effective date of the remainder of this measure to July 1, 2020, to encourage further discussion; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 901, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 901, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCE 968

Record of Votes of the Committee on Finance

Bill/Resolution No.: <i>HB 901 HDI</i>		Committee Referral: <i>HAW FIN</i>		Date: <i>March 4 2009</i>	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <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)					
FIN Members		Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)		✓			
2. LEE, Marilyn B. (VC)		✓			
3. AQUINO, Henry J.C.		✓			
4. AWANA, Karen Leinani		✓			
5. BROWER, Tom		✓			
6. CHOY, Isaac W.		✓			
7. COFFMAN, Denny		✓			
8. HAR, Sharon E.		✓			
9. KEITH-AGARAN, Gilbert S.C.		✓			
10. LEE, Chris		✓			
11. NISHIMOTO, Scott Y.		✓			
12. SAGUM, Roland D., III		✓			
13. TOKIOKA, James Kunane		✓			
14. WOOLEY, Jessica		✓			
15. YAMASHITA, Kyle T.		✓			
16. PINE, Kymberly Marcos			✓		
17. WARD, Gene			✓		
TOTAL (17)		<i>15</i>	<i>2</i>	<i>0</i>	<i>0</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: _____ <i>Marilyn B. Lee</i>					
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