

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1085
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 1085, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CEDED LANDS,"

begs leave to report as follows:

The purpose of this measure is to prohibit the Board of Land and Natural Resources from selling, exchanging, or otherwise alienating ceded lands in the public land trust.

Your Committee believes that it is necessary to reaffirm the Legislature's sole authority under the Constitution of the State of Hawaii to address and oversee the management of the ceded land trust.

Your Committee also finds that a moratorium on the sale or transfer of ceded lands until the issues and claims between Native Hawaiians and the State regarding these lands are resolved is essential to fulfill the Legislature's fiduciary duty to preserve the corpus of the public land trust. This measure preserves the public land trust to ensure the availability of those lands for a fair and just settlement leading to reconciliation with the Native Hawaiian people.

Your Committee has amended this measure by:

- (1) Making technical, nonsubstantive stylistic changes; and



- (2) Inserting an effective date of July 1, 2050, to ensure ongoing discussions and further consideration on this very important issue.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1085, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1085, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,

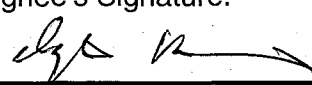


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1085, SD1	NTL, JGO	3/5/2009		
<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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam			✓	
TOTAL	4	0	1	1
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				

*Only one measure per Record of Votes