

**TESTIMONY**  
**HCR 36**  
**LATE**

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**HCR 36;**  
**Approving or Authorizing the Sale of Certain Lands**  
Senate Committee on Water, Land, Agriculture and Hawaiian Affairs

April 15, 2010

3:40 p.m.

Room: 224

The Office of Hawaiian Affairs (OHA) **OPPOSES** HCR 36; which approve or authorize the sale of certain lands. These resolutions were all offered for consideration by the Legislature in accordance with Act 176, Session Laws of Hawai'i 2009. Among other things, Act 176 requires a two-thirds majority vote of both houses of the Legislature before any specific lands controlled by the State can be sold (this includes but is not limited to ceded lands).

OHA holds the position that the state cannot reduce the ceded lands corpus until the Native Hawaiian people's claim to ceded lands has been resolved, which has not yet occurred. One of the problems with these Act 176 resolutions before the Committee is that they lack adequate information as to the ceded lands status of the parcels proposed for sale. Even the resolutions that declare the land to be non-ceded do not provide clear and detailed information as to how that status was determined. The lack of information leaves OHA, our beneficiaries, and the general public in the dark about the impact these resolutions will have on the ceded lands corpus.

Possibly certain determinations of ceded lands status were made using the State Lands Information Management System (SLIMS) database, which the Department of Land and Natural Resources uses to verify the ceded lands status of parcels. However, we are not confident enough in the accuracy of SLIMS to rely on it in making a final determination on whether a parcel is indeed ceded lands or not. We note that the DLNR itself has acknowledged the limitations of this database.

Thank you for the opportunity to testify.

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**(END)**