

STAND. COM. REP. NO. 1369

Honolulu, Hawaii

April 5, 2011

RE: H.C.R. No. 294
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Water, Land, & Ocean Resources and Judiciary, to which was referred H.C.R. No. 294 entitled:

"HOUSE CONCURRENT RESOLUTION ENCOURAGING DISCUSSIONS TO PROPOSE RECOMMENDATIONS TO THE LEGISLATURE TO RESOLVE OUTSTANDING DIFFERENCES REGARDING CLAIMS OF THE OFFICE OF HAWAIIAN AFFAIRS TO INCOME AND PROCEEDS FROM THE PUBLIC LAND TRUST BETWEEN NOVEMBER 7, 1978, AND JULY 1, 2008,"

beg leave to report as follows:

The purpose of this concurrent resolution is to encourage the Office of Hawaiian Affairs (OHA) and the Executive Branch to engage in discussions to propose recommendations to the Legislature to resolve outstanding differences regarding claims to income and proceeds from the public land trust between November 7, 1978, and July 1, 2008.

OHA, Papa Ola Lokahi, Association of Hawaiian Civic Clubs, and Sovereign Councils of the Hawaiian Homelands Assembly supported this measure. The Office of the Governor supported the intent of this measure.

Your Committees have amended this measure by:

- (1) Adding the Governor as a signatory with OHA of the negotiated Settlement Agreement between the State and OHA in January 2008;

HCR294 HD1 HSCR HAW-WLO-JUD HMS 2011-3563

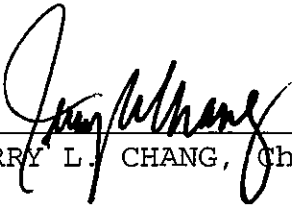


1369

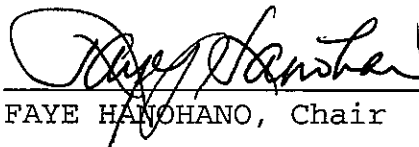
- (2) Adding \$200,000,000 as the total amount the State agreed to pay OHA in the Settlement Agreement, which included cash and the transfer of three parcels of land;
- (3) Specifying between November 7, 1978, and July 1, 2008 as the timeframe that OHA agreed to relinquish all claims or disputes against the State regarding claims to income and proceeds from the public land trust, an agreement that was contingent on the enactment of legislation the parties drafted and attached to the Settlement Agreement; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water, Land, & Ocean Resources and Judiciary that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 294, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 294, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Water, Land, & Ocean
Resources and Judiciary,



JERRY L. CHANG, Chair



FAYE HANOHANO, Chair



GILBERT KEITH-AGARAN, Chair



