

STAND. COM. REP. NO.

1024

Honolulu, Hawaii

APR 01 2011

RE: S.C.R. No. 147  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred  
S.C.R. No. 147 entitled:

"SENATE 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,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Encourage the Office of Hawaiian Affairs and Executive Branch to engage in discussions to formulate and submit a recommendation to the Legislature for resolving all claims and disputes between the State and the Office of Hawaiian Affairs regarding the amount of the income and proceeds from the lands of the public land trust that the Office of Hawaiian Affairs should receive under the Hawaii State Constitution and state law, between November 7, 1978, and July 1, 2008; and
- (2) Include, at a minimum, any recommendation to the Legislature to specify the amount in cash payments, parcels of land, or a combination, that the Legislature shall appropriate and authorize the State to pay or transfer to the Office of Hawaiian Affairs.



Your Committee received testimony in support of this measure from the Governor, Office of Hawaiian Affairs, Association of Hawaiian Civic Clubs, Aha Kiole Advisory Committee, and Papa Ola Lokahi. Your Committee received comments on this measure from one individual.

Your Committee finds that resolution of outstanding issues relating to the income and proceeds from the lands of the public land trust between November 7, 1978, and July 1, 2008, has remained unresolved for more than three decades and the Hawaii Supreme Court has ruled that resolution of the issue is primarily the responsibility of the Legislature. This measure would support the efforts of the Office of Hawaiian Affairs and the Executive Branch to formulate and submit a recommendation to the Legislature for the past due resolution of this issue.

Your Committee commends the parties for their willingness to engage in these critical discussions in a timely and forthright manner.

Your Committee has amended this measure to clarify the terms of the last agreement regarding the participants, total agreement amount, and period referenced in the agreement.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 147, as amended herein, and recommends that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as S.C.R. No. 147, S.D. 1.

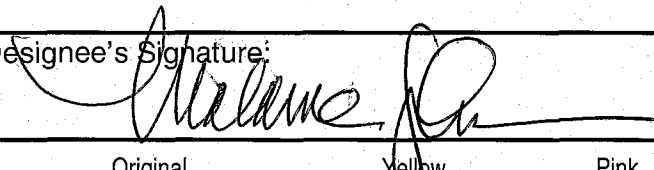
Respectfully submitted on  
behalf of the members of the  
Committee on Hawaiian Affairs,

  
BRICKWOOD GALUTERIA, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 147	HWN, JDL	03-30-11		
<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
GALUTERIA, Brickwood (C)				✓
RYAN, Pohai (VC)	✓			
ENGLISH, J. Kalani				✓
HEE, Clayton	✓			
KAHELE, Gilbert				✓
KIDANI, Michelle N.	✓			
SOLOMON, Malama	✓		N/A	
SLOM, Sam			✓	
<b>TOTAL</b>	4		1	3
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