

STAND. COM. REP. NO. 220

Honolulu, Hawaii

Feb 11, 2011

RE: H.B. No. 222  
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 Committee on Hawaiian Affairs, to which was referred  
H.B. No. 222 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN  
HOME LANDS,"

begs leave to report as follows:

The purpose of this bill is to statutorily require that:

- (1) All revenue derived from the public land trust shall be expended by the Department of Hawaiian Home Lands (DHHL) for the development of farm and home ownership without affecting the pro rata share to be distributed to the Office of Hawaiian Affairs (OHA);
- (2) Specified state departments and agencies that collect revenue from lands within the public land trust determine and transfer five percent of that revenue collected from the lands within thirty days of the close of each fiscal quarter; and
- (3) The Governor may fix the amounts to be transferred by those specified departments and agencies.

The Sovereign Councils of the Hawaiian Homelands Assembly testified in support of this measure. DHHL and the Department of Transportation supported the intent of this bill. The Department of Land and Natural Resources (DLNR), the Department of the

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Attorney General, and the Department of Budget and Finance (B&F) offered comments.

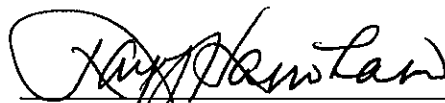
Your Committee notes that DLNR and B&F have expressed some concerns regarding the implementation of this program. However, your Committee finds the purpose of this measure warrants further discussion.

Your Committee has amended this bill by:

- (1) Placing its provisions for the determination, receipt, and transfer of revenues derived from public land trust lands into Act 178, Session Laws of Hawaii 2006, and thereby using the existing receipt and transfer mechanism in the Act that is used to transfer such revenues to the OHA;
- (2) Providing a discussion of section 5(f) of the Admission Act that provides the basis for using public land trust revenues for the development of farm and home ownership; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 222, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 222, H.D. 1, and be referred to the Committee on Water, Land, & Ocean Resources.

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



FAYE HANOANO, Chair



