

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2806
H.D. 2
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2806, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS,"

begs leave to report as follows:

The purpose and intent of this measure is to facilitate the preservation and protection of Hawaiian culture, native Hawaiian burial sites, and the State's environment.

Specifically, the measure:

- (1) Establishes the Aha Moku Advisory Committee within the Office of Hawaiian Affairs, which may advise the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs;
- (2) Appropriates an unspecified sum for fiscal year 2012-2013 for the administrative costs related to carrying out the duties of the Aha Moku Advisory Committee; and
- (3) Establishes a reduced quorum requirement for island burial council meetings.

Your Committee received written comments in support of this measure from the Department of Land and Natural Resources, Sovereign Councils of the Hawaiian Homelands Assembly, Sovereign Mokuuni Council O Oahu, and Papa Ola Lokahi.



Your Committee received written comments in opposition to this measure from the Office of Hawaiian Affairs, Aupuni O Hawaii, and one individual. Your Committee received written comments on this measure from the Society for Hawaiian Archaeology.

Your Committee finds that the aha moku system consists of best practices derived from the indigenous resource management practices of moku (regional) boundaries, which acknowledge the land's natural contours, the specific resources found there, and the methodology necessary to sustain those resources and the community. This measure authorizes the Aha Moku Advisory Committee to advise the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs on issues related to land and natural resources management through the aha moku system, which will help sustain the State's natural resources, promote community education, and foster cultural awareness regarding the benefits of the aha moku system.

Your Committee also finds that because island burial councils have experienced difficulty in meeting quorum requirements, reducing the quorum requirements is necessary to allow the island burial councils to meet and fulfill their duties.

Your Committee has amended this measure by:

- (1) Placing the Aha Moku Advisory Committee within the Department of Land and Natural Resources, instead of the Office of Hawaiian Affairs;
- (2) Amending references to the Board of Trustees of the Office of Hawaiian Affairs to the Board of Land and Natural Resources;
- (3) Clarifying language concerning the island burial councils' difficulty meeting quorum requirements; and
- (4) Making technical nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2806, H.D. 2, S.D. 1, as amended herein, and recommends that



it pass Third Reading in the form attached hereto as H.B.
No. 2806, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

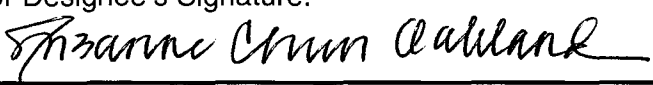
David Y. Ige

DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2806 HD2SD1	HWN/WLH, ^{WAM} WML	4/4/12		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)				✓
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.				✓
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	11	0	0	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