

STAND. COM. REP. NO.

2681

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2793
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 Judiciary and Labor, to which was referred
S.B. No. 2793, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION
ACT,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the
Department of Hawaiian Home Lands to suspend its administrative
rules for the purpose of awarding a lease to a Native Hawaiian
beneficiary who has waited for a lease award for twenty years or
more.

Your Committee received testimony in support of this measure
from the Department of Hawaiian Home Lands and six private
individuals. Testimony in opposition to this measure was
submitted by one private individual. The Office of Hawaiian
Affairs submitted comments.

Your Committee finds that there are over twenty thousand
applicants for Hawaiian home lands lease awards, nearly one-third
of whom have waited twenty years or more for a lease award. As
individuals who have applied for lease awards age, lease awards on
some of Hawaii's most desolate, remote lands, on large house lots,
may no longer be suitable for those senior citizens. Your
Committee also finds that the Department of Hawaiian Home Lands is
exploring various types of housing, including multi-generational
and senior housing, and considering the suspension of
administrative rules to make viable housing options accessible to

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applicants who applied for lease awards no less than twenty years ago.

However, your Committee has concerns regarding the process the Department of Hawaiian Home Lands intends to use to distinguish between and choose beneficiaries who have been on the wait list for twenty years or more to be awarded leases. Furthermore, your Committee has concerns regarding the fairness of the selection process once the administrative rules are suspended and any unintended consequences as a result of suspending the rules.

Your Committee has therefore amended this measure by inserting an effective date of July 1, 2050, to ensure further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2793, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2793, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



