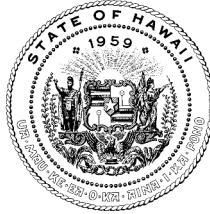


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committee on
WAYS AND MEANS**

**Tuesday, February 28, 2012
9:00 AM
State Capitol, Conference Room 211**

**In consideration of
SENATE BILL 3053, SENATE DRAFT 1
RELATING TO NATIVE HAWAIIANS**

Senate Bill 3053, Senate Draft 1 proposes to: 1) Create an aha moku advisory committee within the Office of Hawaiian Affairs (OHA) to advise the chairperson of the Board of Trustees of OHA on matters related to land and natural resources management through the aha moku system; and 2) Facilitate island burial council meetings and business by establishing a reduced quorum requirement for island burial council meetings. The Department of Land and Natural Resources (Department) supports this measure and offers the following comments with regard to PART II dealing with Island Burial Councils.

The purpose of Section 6E-43, Hawaii Revised Statutes (HRS), is to ensure that Native Hawaiians and landowners have a forum to discuss and voice their opinions on the treatment of burials on their respective island. However, lack of quorum, particularly difficulty in getting large landowner representation on small islands, has hindered the ability of island burial councils to meet. PART II of this measure proposes that "the members present at the scheduled start time of any meeting shall constitute a quorum to do business."

The Department supports this proposed language which clarifies the definition of what constitutes a quorum, and allows a burial council meeting and business to be conducted without regard to ratio requirements proscribed in Section 6E-43.5(b), HRS, for development and large property owner burial council representatives attending a meeting, as long as any member of the respective burial council is present at that meeting.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
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