

Honolulu, Hawaii

APR 05 2013

RE: H.B. No. 252
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Tourism and Hawaiian Affairs and Judiciary and Labor, to which was referred H.B. No. 252, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Native Hawaiian Roll Commission, in cooperation with the Office of Hawaiian Affairs, to submit annual reports to the Governor and the Legislature on the status of the preparation of a roll of qualified Native Hawaiians, expenditures related to the Commission, and any other concerns or recommendations;
- (2) Amend the definition of "qualified Native Hawaiian" to include individuals who meet the ancestry requirements of Kamehameha Schools or of the Hawaiian registry program of the Office of Hawaiian Affairs; and
- (3) Repeal the directive in Act 195, Session Laws of Hawaii 2011, to amend the Hawaiian Homes Commission Act.

Your Committees received testimony in support of this measure from Na Koa Ikaika and one individual. Your Committees received testimony in opposition to this measure from the Native Hawaiian Roll Commission and one individual. Your Committees received



comments on this measure from the Office of Hawaiian Affairs, Department of Hawaiian Home Lands, and one individual.

Your Committees find that requiring annual reports from the Native Hawaiian Roll Commission will better inform the Governor and Legislature regarding the status and expenses of the Native Hawaiian registry to facilitate informed decision making. Your Committees note, however, that requiring the Native Hawaiian Roll to be confidential would conflict with the original intent and purpose of the Native Hawaiian Roll Commission. Your Committees also find that additional language should be included in this measure to promote renewable energy in Hawaii.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the requirement that the Native Hawaiian Roll remain confidential;
- (2) Replacing the reference to "the" Hawaiian registry program with "any" Hawaiian registry program of the Office of Hawaiian Affairs as it relates to a qualified Native Hawaiian;
- (3) Inserting language clarifying that all individuals already registered with the State as verified Hawaiians or Native Hawaiians through the Office of Hawaiian Affairs are included in the Native Hawaiian Roll and extending to those individuals all rights and recognitions conferred upon other members of the roll;
- (4) Inserting language to promote renewable energy in Hawaii by:
 - (A) Providing that all penalties, fees, and costs established and collected by the Department of Land and Natural Resources pursuant to chapter 182, Hawaii Revised Statutes, be deposited in the special land and development fund;
 - (B) Including geothermal resources within the definition of a renewable energy producer;
 - (C) Clarifying the permitting procedures for regulators and renewable energy developers considering geothermal development;



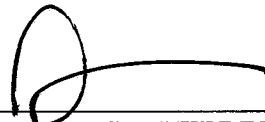
- (D) Requiring the use of an area or site within the conservation district for geothermal resources development to be governed by the Board of Land and Natural Resources;
 - (E) Authorizing certain county authorities to issue geothermal resource permits to allow geothermal resources development in an agricultural, rural, or urban district if the development is not considered a permissible use under the applicable county zoning ordinances or general plan; and
 - (F) Repealing the definition of and references to "reserved lands" in chapter 182, Hawaii Revised Statutes;
- (5) Inserting an effective date of July 1, 2013; and
 - (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Tourism and Hawaiian Affairs and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 252, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 252, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Tourism and
Hawaiian Affairs and Judiciary
and Labor,



CLAYTON HEE, Chair

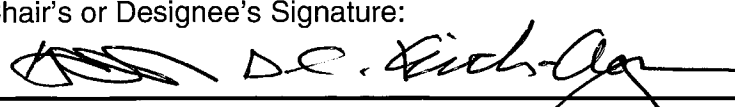


BRICKWOOD GALUTERIA, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Tourism and Hawaiian Affairs
THA

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 252 HD2	THA/JDL	4/1/13		
<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)	✓			
KEITH-AGARAN, Gilbert S.C. (VC)	✓			
HEE, Clayton	✓			
KAHELE, Gilbert	✓			
KIDANI, Michelle N.	✓			
SHIMABUKURO, Maile S.L.	✓			
SOLOMON, Malama				✓
SLOM, Sam				✓
TOTAL	6	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

