

STAND. COM. REP. NO.

340

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 402
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 Water and Land, to which was referred S.B. No. 402 entitled:

"A BILL FOR AN ACT RELATING TO A FINANCIAL REVIEW BY THE OFFICE OF HAWAIIAN AFFAIRS OF COMPLIANCE WITH SECTION 5 OF ACT 178, SESSION LAWS OF HAWAII 2006,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize the Office of Hawaiian Affairs to conduct a financial review of the State's compliance with section 5 of Act 178, Session Laws of Hawaii 2006.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs and Association of Hawaiian Civic Clubs. Your Committees received comments on this measure from the Department of the Attorney General and Department of Land and Natural Resources.

Your Committees find that all state agencies that use or manage public trust land must report revenues generated from the use of that land pursuant to Act 178, Session Laws of Hawaii 2006. For the first time since Act 178 was enacted, in 2012, all state agencies identified as managing public trust land provided an accounting of revenues generated. Gaps in the information produced, however, show reporting discrepancies and produce questions supporting the need for an audit.

Your Committees have amended this measure by:

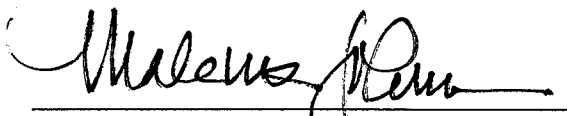
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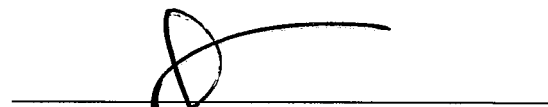


- (1) Requiring that all requests to state agencies for information related to the financial review conducted pursuant to this measure shall be responded to within thirty days of the request; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Tourism and Hawaiian Affairs and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 402, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 402, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Tourism and
Hawaiian Affairs and Water and
Land,

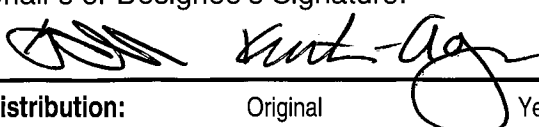

MALAMA SOLOMON, Chair


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:		
SB 402	THA/NTL, NAM	2/12/13		
<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	5			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

