

Honolulu, Hawaii

MAR - 1 2013

RE: S.B. No. 407
S.D. 1

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

Madam:

Your Committee on Tourism and Hawaiian Affairs, to which was referred S.B. No. 407 entitled:

"A BILL FOR AN ACT RELATING TO ISLAND BURIAL COUNCILS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend statutory provisions relating to composition and quorum of island burial councils.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Oahu Island Burial Council, Oahu Council Association of Hawaiian Civic Clubs, Society of Hawaiian Archaeology, and two individuals.

Your Committee finds that certain island burial councils are having difficulty recruiting enough members to make quorum. Some councils are unable to fill regional representative council seats, and other councils are unable to fill landowner council seats. Your Committee concludes that this measure requires further clarification to ensure that each council will be able to make quorum.

Accordingly, your Committee has amended this measure by:

- (1) Decreasing the number of council members for the Kaua'i/Ni'ihau council from eleven members to nine members;



- (2) Decreasing the number of council members for the Moloka'i council from nine members to five members; provided that the Moloka'i council has no more than one representative of development and large property owner interests;
- (3) Adding a representative from the geographic region of Honua'ula to the Maui/Lana'i council;
- (4) Identifying Waimea and Na Pali as one geographic region as opposed to two separate geographic regions;
- (5) Granting the Office of Hawaiian Affairs the discretion to provide the Governor with a list of regional representative nominees separate from the list submitted by the Department of Land and Natural Resources and, if submitted, requiring a minimum of twenty percent of the regional vacancies to be filled by qualified candidates from the Office of Hawaiian Affairs' list;
- (6) Deleting the requirement that the Office of Hawaiian Affairs develop the list of regional representative nominees in consultation with appropriate Hawaiian organizations; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Tourism and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 407, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 407, S.D. 1, and be placed on the calendar for Third Reading.

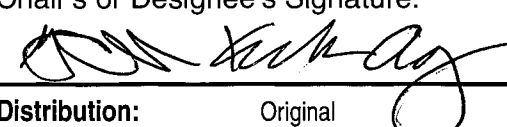
Respectfully submitted on
behalf of the members of the
Committee on Tourism and
Hawaiian Affairs,


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 407	THA	2/13/13		
<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	0	0	3
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