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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE ESTABLISHMENT OF A PUBLIC LAND TRUST REVENUES  
NEGOTIATING COMMITTEE.

1           WHEREAS, Act 178, Session Laws of Hawaii 2006, was enacted  
2 with a stated purpose of providing "interim measures to ensure  
3 that an adequate amount of income and proceeds is made available  
4 to the office of Hawaiian affairs from the pro rata portion of  
5 the public land trust, for the betterment of the conditions of  
6 native Hawaiians"; and  
7

8           WHEREAS, Act 178 effectuated this purpose by requiring:  
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10           "[U]ntil further action is taken by the legislature for  
11 this purpose, the income and proceeds from the pro rata  
12 portion of the public land trust under article XII, section  
13 6, of the state constitution for expenditure by the office  
14 of Hawaiian affairs for the betterment of the conditions of  
15 native Hawaiians for each fiscal year beginning with fiscal  
16 year 2005-2006 shall be \$15,100,000";  
17

18 and  
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20           WHEREAS, the second stated purpose of Act 178, Session Laws  
21 of Hawaii 2006, was to "[i]dentify revenue-generating public  
22 trust lands and the amounts derived from those lands by  
23 requiring that the department of land and natural resources  
24 provide an annual accounting to the legislature"; and  
25

26           WHEREAS, subsequently, to address past-due amounts owed to  
27 the Office of Hawaiian Affairs, Act 15, Session Laws of Hawaii  
28 2012, was enacted to implement an agreement between the State  
29 and the Office of Hawaiian Affairs for the State to convey  
30 certain lands in Kakaako Makai on Oahu valued at approximately  
31 \$200,000,000 to settle the Office of Hawaiian Affairs' claims



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1 only for the period from November 7, 1978 up to and including  
2 June 30, 2012, relating to the Office of Hawaiian Affairs'  
3 portion of the income and proceeds from the public land trust;  
4 and  
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6 WHEREAS, Act 15 did not, however, address the State's  
7 constitutional obligations under Article XII, sections 4 and 6,  
8 relating to the Office of Hawaiian Affairs' pro rata share of  
9 the income and proceeds from the public land trust after June  
10 30, 2012; and  
11

12 WHEREAS, a decade having passed since the enactment of Act  
13 178, Session Laws of Hawaii 2006, it is now appropriate for the  
14 State and the Office of Hawaiian Affairs to reexamine the annual  
15 figure of \$15,100,000 in light of information, data, and facts  
16 provided to the Legislature by state agencies over the last  
17 three fiscal years concerning revenues of the public land trust;  
18 now, therefore,  
19

20 BE IT RESOLVED by the House of Representatives of the  
21 Twenty-eighth Legislature of the State of Hawaii, Regular  
22 Session of 2016, the Senate concurring, that a Public Land Trust  
23 Revenues Negotiating Committee be established; and  
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25 BE IT FURTHER RESOLVED that the Public Land Trust Revenues  
26 Negotiating Committee be comprised of the following members:  
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- 28 (1) The President of the Senate or the President's  
29 designee;  
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31 (2) The Speaker of the House of Representatives or the  
32 Speaker's designee;  
33  
34 (3) The Governor or the Governor's designee; and  
35  
36 (4) The Chairperson of the Office of Hawaiian Affairs or  
37 the Chairperson's designee; and  
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39 BE IT FURTHER RESOLVED that the negotiating committee shall  
40 engage in discussions with the purpose of resolving the matter  
41 of the income and proceeds from the public land trust that the



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1 Office of Hawaiian Affairs shall receive annually under the  
2 State Constitution and other state law; and  
3

4 BE IT FURTHER RESOLVED that the negotiating committee shall  
5 submit a status report of its discussions to the Legislature no  
6 later than twenty days prior to the commencement of the 2017  
7 Regular Session and shall submit a final report of its findings,  
8 recommendations, and any proposed legislation, to the  
9 Legislature no later than twenty days prior to the commencement  
10 of the 2018 Regular Session; and  
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12 BE IT FURTHER RESOLVED that certified copies of this  
13 Concurrent Resolution be transmitted to the Chairperson of the  
14 Office of Hawaiian Affairs, the Attorney General, the Department  
15 of Land and Natural Resources, and the Department of Budget and  
16 Finance.  
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18  
19

OFFERED BY:

*[Signature]*  
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MAR 11 2016

