

Honolulu, Hawaii
February 12, 2016

RE: H.B. No. 1655
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land, to which was referred H.B. No. 1655 entitled:

"A BILL FOR AN ACT RELATING TO INCREASING THE PAYMENT AMOUNT FOR THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF THE PUBLIC LAND TRUST,"

beg leave to report as follows:

The purpose of this measure is to establish a means to fulfill the State's constitutional and statutory obligation to provide the Office of Hawaiian Affairs with a 20 percent share of revenues derived from ceded lands, which the Office of Hawaiian Affairs is charged to expend for the betterment of the conditions of native Hawaiians and to give effect to the right of native Hawaiians to benefit from the public land trust. To achieve that purpose, this measure:

- (1) Removes caps on annual and quarterly public land trust revenues that are paid to the Office of Hawaiian Affairs;
- (2) Returns to the Office of Hawaiian Affairs funds from purported past overpayments maintained in the carry-forward trust account by the Department of Budget and Finance pursuant to Executive Order 06-06; and
- (3) Establishes a Public Land Trust Negotiating Committee composed of members representing the Legislature, the



Governor's administration, and the Office of Hawaiian Affairs to resolve the matter of the amount of the income and proceeds of the public land trust that shall be paid annually to the Office of Hawaiian Affairs.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs, Kaho'olawe Island Reserve Commission, Kalihi Palama Hawaiian Civic Club, KAFarmers Hui, Ko'olaupoko Hawaiian Civic Club, Kai Loa, Inc., Kamehameha Schools, and several individuals. Your Committees received testimony in opposition to this measure from Keaukaha Community Association, Center for Hawaiian Sovereignty Studies, Ho'omana Pono, LLC, and one individual. The Department of the Attorney General, University of Hawai'i, Association of Hawaiian Civic Clubs, Ka Lahui Hawai'i, and one individual submitted comments.

Your Committees note that this measure is intended to serve as an interim means of providing the Office of Hawaiian Affairs with its constitutionally and statutorily mandated revenue in the short term while simultaneously establishing a process to bring lasting resolution to the matter of the amount of income and proceeds from the public land trust to which the Office of Hawaiian Affairs is entitled.

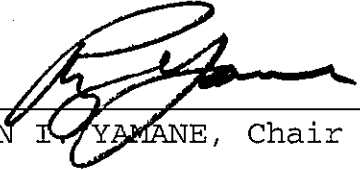
Your Committees have amended this measure by:

- (1) Changing its effective date to December 24, 2088, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1655, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1655, H.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Ocean, Marine
Resources, & Hawaiian Affairs
and Water & Land,



RYAN I. YAMANE, Chair



KANIELA ING, Chair



