

STAND. COM. REP. NO.

3695

Honolulu, Hawaii

APR 25 2016

RE: H.C.R. No. 188
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred
H.C.R. No. 188, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF
A PUBLIC LAND TRUST REVENUES NEGOTIATING COMMITTEE,"

begs leave to report as follows:

The purpose and intent of this measure is to establish a
negotiating committee to resolve the matter of the appropriate
amount of income and proceeds from the pro rata portion of the
public land trust that the Office of Hawaiian Affairs shall
receive annually under the state constitution and other state law.

Specifically, this measure establishes a negotiating
committee comprised of members representing the Senate, the House
of Representatives, the Governor, and the Office of Hawaiian
Affairs.

Your Committee received written comments in support of this
measure from the Office of Hawaiian Affairs, Aha Punana Leo,
Association of Hawaiian Civic Clubs, Kalihi Palama Hawaiian Civic
Club, and six individuals.

Your Committee received written comments in opposition to
this measure from one individual.

Your Committee received comments on this measure from the
Department of Budget and Finance.

HCR188 SD1 SSCR LRB 16-2342-1.doc




Your Committee finds that, as an "interim measure," Act 178, Session Laws of Hawaii 2006, set the Office of Hawaiian Affairs' pro rata share of the income and proceeds from the public land trust at \$15,100,000. Your Committee also finds that Act 15, Session Laws of Hawaii 2012, was enacted to settle claims of the Office of Hawaiian Affairs, relating to its pro rata share of the income and proceeds from the public land trust, for the period from November 7, 1978, to June 30, 2012. Your Committee notes, however, that Act 15 did not address the State's constitutional obligations relating to the Office of Hawaiian Affairs' pro rata share of the income and proceeds from the public land trust after June 30, 2012.

Your Committee has amended this measure by:

- (1) Clarifying that the negotiating committee shall be convened by the Governor and placed within the Office of the Governor for administrative purposes;
- (2) Clarifying that the negotiating committee shall be chaired by the Governor or the Governor's designee; and
- (3) Making technical nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 188, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 188, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

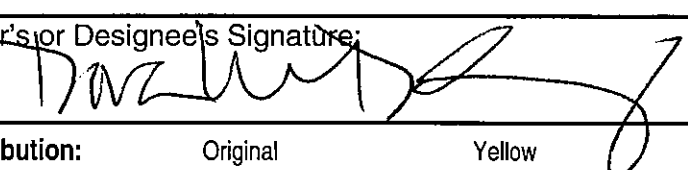


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HCR 188, HD1	Committee Referral: HWN, WAM	Date: 4/21/16		
<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
TOKUDA, Jill N. (C)	//			
DELA CRUZ, Donovan M. (VC)	//			
CHUN OAKLAND, Suzanne				//
ENGLISH, J. Kalani	//			
GALUTERIA, Brickwood	//			
HARIMOTO, Breene				//
INOUYE, Lorraine R.	//			
RIVIERE, Gil	//			
TANIGUCHI, Brian T.				//
WAKAI, Glenn				//
SLOM, Sam				//
TOTAL	6			5
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