

Honolulu, Hawaii

FEB 18 2016

RE: S.B. No. 2994  
S.D. 1

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

Sir:

Your Committees on Hawaiian Affairs and Judiciary and Labor,  
to which was referred S.B. No. 2994 entitled:

"A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow the Hawaiian Homes Commission and Department of Hawaiian Home Lands to retain independent legal counsel as needed;
- (2) Authorize the Hawaiian Homes Commission and Department of Hawaiian Home Lands to use the services of the Attorney General as needed and when the interests of the State, Hawaiian Homes Commission, and Department of Hawaiian Home Lands are aligned; and
- (3) Provide that funds owed to independent legal counsel shall be paid by the State.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Association of Hawaiian Civic Clubs, Villages of Laiopua Association, Moku o Keawe Homestead Alliance, Kailapa Community Association, and ten individuals. Your Committees received testimony in opposition to this measure from the Department of the Attorney General.




Your Committees note the testimony of the Department of Hawaiian Home Lands that twenty-one other state agencies currently have the autonomy that this measure would provide to the Hawaiian Homes Commission and Department of Hawaiian Home Lands. Your Committees also note its concern that there are currently no limits to the cost of independent legal counsel for the state agencies that retain such counsel.

Your Committees have amended this measure by 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 Hawaiian Affairs and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2994, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2994, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Hawaiian Affairs  
and Judiciary and Labor,

  
\_\_\_\_\_  
GILBERT S.C. KEITH-AGARAN, Chair

  
\_\_\_\_\_  
MAILE S.L. SHIMABUKURO, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i


**Record of Votes**  
**Committee on Hawaiian Affairs**  
**HWN**

Bill / Resolution No.:* <b>SB 2994</b>	Committee Referral: <b>HWN/JDL,WAM</b>	Date: <b>2/10/16</b>		
<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
SHIMABUKURO, Maile S.L. (C)	/			
ENGLISH, J. Kalani (VC)	/			
INOUE, Lorraine R.	/			
KIM, Donna Mercado	/			
SLOM, Sam				/
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>4. Keli [Signature]</i>				
Distribution:             Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2994	HWN/UDL, WAM	2/9/16		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
██████████				
KIM, Donna Mercado	✓			
THIELEN, Laura H.				✓
SLOM, Sam		✓		
<b>TOTAL</b>	4	1		1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:     Original     Yellow     Pink     Goldenrod				
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