

STAND. COM. REP. NO.

1715

Honolulu, Hawaii

APR 24 2017

RE: H.C.R. No. 80
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Water and Land, to which was referred H.C.R. No. 80, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A WORKING GROUP TO STUDY THE POTENTIAL TRANSFER OF MANAGEMENT AND MAINTENANCE OF THE ROYAL MAUSOLEUM AT MAUNA 'ALA TO ONE OR MORE APPROPRIATE NONPROFIT ORGANIZATIONS,"

beg leave to report as follows:

The purpose and intent of this measure is to request the Department of Land and Natural Resources to establish a working group to study the potential transfer of management and maintenance of the Royal Mausoleum at Mauna 'Ala to one or more appropriate nonprofit organizations.

Your Committees received testimony in support of this measure from Kamehameha Schools, Hawai'i Cemetery Research Project, PA'I, and Ho'omana Pono, LLC. Your Committees received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the Department of Land and Natural Resources and O'ahu Council of the Association of Hawaiian Civic Clubs.

Your Committees find that the Royal Mausoleum at Mauna 'Ala is currently owned and managed by the Division of State Parks of the



Department of Land and Natural Resources of the State of Hawai'i. The Department of Land and Natural Resources, the Kahu of Mauna 'Ala, and the Estate of Bernice Pauahi Bishop, Queen Lili'uokalani Trust, William Charles Lunalilo Trust Estate, Abigail K. Kawānanakoa Foundation, The Queen's Health Systems, and Charles Reed Bishop Trust (collectively, the "Royal Parties") have engaged in a cooperative effort to fund and undertake much needed repairs and renovations at Mauna 'Ala.

Your Committees find that there is a need to transfer the ongoing stewardship and maintenance of Mauna 'Ala to one or more nonprofit organizations with culturally-sensitive property management expertise, sufficient financial resources, and strong genealogical and cultural ties to Mauna 'Ala to assist with the ongoing management and maintenance of Mauna 'Ala for the benefit of the public.

Your Committees have amended this measure by:

- (1) Deleting the language explaining conveyance of ceded lands under the Admission Act;
- (2) Specifying that the working group should include one representative of each of the Hawaiian Royal Societies comprising 'Aha Hipu'u - Royal Order of Kamehameha I, 'Ahahui Ka'ahumanu, Hale O Nā Ali'i O Hawai'i, and Daughters and Sons of Hawaiian Warriors - Māmakakaua - rather than just one representative for 'Aha Hipu'u;
- (3) Adding three members of the general Hawaiian community to the working group, to be selected by the Department of Land and Natural Resources;
- (4) Requesting the working group to consult with the Attorney General for guidance and advice;
- (5) Deleting language that would have requested the working group to determine whether ownership of Mauna 'Ala should be transferred;
- (6) Extending the reporting deadline to twenty days prior to the convening of the Regular Session of 2019; and



- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.


Although language was removed that would have requested the working group to determine whether ownership of Mauna 'Ala should be transferred, your Committees note that the working group is not prohibited from considering and making recommendations in its report to the Legislature regarding the transfer of ownership of Mauna 'Ala.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Water and Land that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 80, H.D. 1, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 80, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Water and Land,



KARL RHOADS, Chair




MAILE S.L. SHIMABUKURO, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:*	Committee Referral:	Date:
<i>HR 80 HD 1</i>	<i>HWN/WZL</i>	<i>4/18/2017</i>
<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)	✓	
GALUTERIA, Brickwood (VC)	✓	
ENGLISH, J. Kalani	✓	
GREEN, Josh	✓	
KIM, Donna Mercado	✓	
TOTAL	5	
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
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*Only one measure per Record of Votes

