

STAND. COM. REP. NO.

3413

Honolulu, Hawaii

APR 04 2018

RE: H.B. No. 2464
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2464, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Department of Hawaiian Home Lands to study the issue of Hawaiian home lands lessees selling or transferring their leases for a fee or other personal gain and then applying for a subsequent lease; and
- (2) Require the Department to submit a report on the findings of the study to the Legislature prior to the convening of the Regular Session of 2020.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that certain native Hawaiians who are eligible for a lease pursuant to the Hawaiian Homes Commission Act have acquired a homestead lease, sold or transferred their interest in the lease, and then placed their names on the waitlist for a second homestead lease. This practice artificially



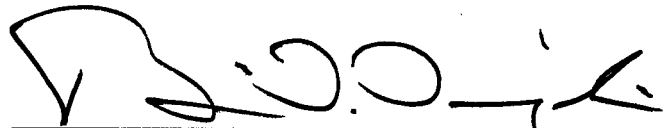
lengthens the waitlist for homestead leases and reduces the chances of native Hawaiians entering the Hawaiian Homes Commission Act program in good faith to eventually receive a lease. Your Committee further finds that the Department of Hawaiian Home Lands is in the process of addressing the long waitlist for homestead leases by adopting a rule that would prohibit the sale of undivided interests and leases to lots that are vacant or undeveloped, in addition to other administrative actions. This measure will require the Department of Hawaiian Home Lands to study this issue and report to the Legislature so that it can be properly addressed and the intent of the Hawaiian Home Lands Commission Act can be better realized.

Your Committee has amended this measure by:

- (1) Requiring the Department of Hawaiian Home Lands to submit a report on the Department's study to the Legislature prior to the Regular Session of 2019, instead of 2020; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2464, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2464, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

| | | | | |
|---|---|---------------------------------------|---------------------|----------|
| Bill / Resolution No.: | Committee Referral: | Date: | | |
| <i>HB 2464, HD2, SD1</i> | <i>HWN, JDC</i> | <i>3/29/2018</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 |
| TANIGUCHI, Brian T. (C) | ✓ | | | |
| RHOADS, Karl (VC) | ✓ | | | |
| GABBARD, Mike | | | | ✓ |
| KIM, Donna Mercado | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
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| TOTAL | <i>4</i> | <i>0</i> | <i>0</i> | <i>1</i> |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: <i>Karl Rhoads</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