

STAND. COM. REP. NO.

183

Honolulu, Hawaii

FEB 11 , 2021

RE: H.B. No. 1122

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1122 entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend the Hawaiian Homes Commission Act to give clarity and guidance to the Department of Hawaiian Home Lands in the management of homestead lands. Specifically, this measure:

- (1) Defines "beneficiary consultation" and determines when it is required;
- (2) Prohibits the Department of Hawaiian Home Lands from disposing or extending a general lease to non-beneficiaries, unless there are no applicants seeking to enter into a general lease to the use and occupancy of a tract of Hawaiian Home Lands;
- (3) Mandates Homestead Beneficiary Agreements;
- (4) Prohibits the Department of Hawaiian Home Lands from establishing additional criteria to enter into a lease with an applicant;



- (5) Allocates the interest or other earnings from the Hawaiian home loan fund and Hawaiian home general loan fund into their respective funds;
- (6) Requires the Department of Hawaiian Home Lands to submit a quarterly report to the Legislature and beneficiaries; and
- (7) Authorizes the Department of Hawaiian Home Lands to negotiate with homestead association governed water agencies to maintain water systems prior to other service providers.

Your Committee received testimony in support of this measure from the Sovereign Council of Hawaiian Homestead Associations. Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that this measure attempts to improve the administration of the Hawaiian Homes Commission Act for the issuance of residential, farm, ranch, and mercantile lands to native Hawaiians. As this measure has the potential to improve, in significant ways, the ability of the Department of Hawaiian Home Lands in administering the Hawaiian Home Lands Trust, your Committee urges the Department of Hawaiian Home Lands to work with the Sovereign Council of Hawaiian Homestead Associations as this measure moves forward.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1122, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Water & Land,

A handwritten signature in black ink, appearing to read "David Tarnas". The signature is written in a cursive, flowing style with a large initial "D".

DAVID A. TARNAS, Chair



