

STAND. COM. REP. NO. 2949

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2623
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2623, 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 exclude from any waiting list maintained by the Department of Hawaiian Home Lands any lessee or successor who sells or transfers their lease on a tract of Hawaiian home lands.

Your Committee received comments on this measure from the Department of the Attorney General and Department of Hawaiian Home Lands.

Your Committee finds that the practice of obtaining a Hawaiian home lands lease then selling or conveying it to others for a fee or other personal gain, then being placed on the waiting list to receive another lease is referred to as churning. Your Committee further finds that the large number of applications is due in part to an applicant being allowed to submit more than one application for the different awards of leases, such as pastoral, agricultural, and residential leases, where the applicant is eligible to apply for all three and hoping to receive just one award. With the number of applications continuing to grow, some eligible native Hawaiian beneficiaries may never obtain a lease or



remain on the list for an extended number of years before receiving a Hawaiian Home Lands lease. Your Committee finds this practice of churning unacceptable, as it prevents many native Hawaiians from ever obtaining a lease, and that this practice must be prohibited to ensure fair distribution of leases to all beneficiaries.

Your Committee has amended this measure by inserting an effective date of upon its approval or as otherwise provided in section 5.

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 S.B. No. 2623, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2623, S.D. 2.

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



KARL RHOADS, Chair



