

STAND. COM. REP. NO.

1343

Honolulu, Hawaii

MAR 24 , 2021

RE: S.B. No. 891
S.D. 2
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 Judiciary & Hawaiian Affairs, to which was referred S.B. No. 891, S.D. 2, 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:

- (1) Establish requirements for Hawaiian home lands beneficiary consultation;
- (2) Require that a majority of the members of the Hawaiian Homes Commission be descendants of no less than one-fourth part of the blood of the races inhabiting the Hawaiian Islands before 1778 or beneficiaries of the trust who are on the waitlist for Hawaiian home lands;
- (3) Require quarterly reporting to the beneficiaries, registered homestead associations, and Legislature on land dispositions and lease cancellations made during the quarter;
- (4) Authorize the Hawaiian Homes Commission to recommend that the Governor establish an inter-agency council;



- (5) Require a full, annual accounting of Act 14, Special Session Laws of Hawaii 1995, receipts and expenditures;
- (6) Require the Department of Hawaiian Home Lands to develop and implement a loan servicing manual;
- (7) Allow the Department of Hawaiian Homes Lands to retain separate legal counsel or use the services of the Attorney General, as needed; and
- (8) Require the Legislative Reference Bureau to conduct a study on the implications of creating a position for the Director of Hawaiian Home Lands that is separate from the Chairperson of the Hawaiian Homes Commission.

Your Committee received testimony in opposition to this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Hawaiian Home Lands and Legislative Reference Bureau.

Your Committee finds that this measure promotes transparency, accountability, and the policy of the Hawaiian Homes Commission Act, which strives to enable native Hawaiians to return to their lands in order to fully support self-sufficiency and self-determination of native Hawaiians, and the preservation of the values, traditions, and culture of native Hawaiians.

Your Committee has amended this measure by:

- (1) Requiring the Department of Hawaiian Home Lands to submit an annual report to the Legislature no later than twenty days prior to the convening of each Regular Session regarding the beneficiary consultations conducted during the previous year and results from the consultations;
- (2) Deleting language requiring the Department of Hawaiian Home Lands to provide a full, annual accounting of Act 14, Special Session Laws of Hawaii 1995, receipts and expenditures;
- (3) Changing the effective date to July 1, 2021, to encourage further discussion; and



- (4) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 891, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 891, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



