

STAND. COM. REP. NO. **2222**

Honolulu, Hawaii

FEB 09 2024

RE: S.B. No. 3363
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
S.B. No. 3363 entitled:

"A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide that a living beneficiary's place on the Department of Hawaiian Home Lands' waitlist for any residential or commercial agricultural tract may be designated for transfer to a successor if the living beneficiary dies before receiving an offer for a tract; provided that the successor shall be at least 1/32 Hawaiian.

Your Committee received testimony in support of this measure from Ho'omana Pono, LLC and six individuals.

Your Committee received testimony in opposition to this measure from two individuals.

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

Your Committee finds that it is the mission of the Department of Hawaiian Home Lands to develop and deliver land to native Hawaiians. However, as time goes by, the number of native Hawaiians with a blood quantum of fifty percent or more continues



to diminish, while the number of native Hawaiians on the Department of Hawaiian Home Lands' waitlist continues to grow. This measure recognizes the importance of the succession rights of native Hawaiian beneficiaries and will ensure that the intent of providing lands for native Hawaiians is upheld.

Your Committee has amended this measure by:

- (1) Specifying that this measure shall be implemented by the Department of Hawaiian Home Lands at the sole discretion of the Hawaiian Homes Commission;
- (2) Specifying that a living beneficiary's place on the Department of Hawaiian Home Lands' waitlist is for residential, agricultural, or pastoral tracts;
- (3) Amending section 207 and 208, Hawaiian Homes Commission Act, 1920, as amended, to clarify that the Department of Hawaiian Home Lands' lease may be awarded to native Hawaiians or qualified application successors; and
- (4) Making it effective upon either the date that Congressional approval is deemed unnecessary, or on the date of consent by the United States Congress.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3363, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3363, S.D. 1, and be referred to your Committee on Judiciary.

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



MAILE S.L. SHIMABUKURO, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* SB 3363	Committee Referral: HWN, JDC	Date: 02/06/2024
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	X			
FEVELLA, Kurt (VC)	X			
IHARA, Jr., Les	X			
KEOHOKALOLE, Jarrett	X			
RICHARDS, III, Herbert M. "Tim"	X			
TOTAL	5			

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature: *Kurt Fevella*

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***Only one measure per Record of Votes**