A BILL FOR AN ACT

RELATING TO INDEPENDENT LEGAL COUNSEL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 28-8.3, Hawaii Revised Statutes, is amended as follows:

(1) By amending subsection (a) to read as follows:

"(a) No department of the State other than the attorney general may employ or retain any attorney, by contract or otherwise, for the purpose of representing the State or the department in any litigation, rendering legal counsel to the department, or drafting legal documents for the department; provided that the foregoing provision shall not apply to the employment or retention of attorneys:

(1) By the public utilities commission, the labor and industrial relations appeals board, and the Hawaii labor relations board;

(2) By any court or judicial or legislative office of the State; provided that if the attorney general is requested to provide representation to a court or judicial office by the chief justice or the chief justice's designee, or to a legislative office by the
speaker of the house of representatives and the
president of the senate jointly, and the attorney
general declines to provide such representation on the
grounds of conflict of interest, the attorney general
shall retain an attorney for the court, judicial, or
legislative office, subject to approval by the court,
judicial, or legislative office;

(3) By the legislative reference bureau;

(4) By any compilation commission that may be constituted
from time to time;

(5) By the real estate commission for any action involving
the real estate recovery fund;

(6) By the contractors license board for any action
involving the contractors recovery fund;

(7) By the office of Hawaiian affairs;

(8) By the department of commerce and consumer affairs for
the enforcement of violations of chapters 480 and
485A;

(9) As grand jury counsel;

(10) By the Hawaii health systems corporation, or its
regional system boards, or any of their facilities;

(11) By the auditor;
(12) By the office of ombudsman;

(13) By the insurance division;

(14) By the University of Hawaii;

(15) By the Kahoolawe island reserve commission;

(16) By the division of consumer advocacy;

(17) By the office of elections;

(18) By the campaign spending commission;

(19) By the Hawaii tourism authority, as provided in section 201B-2.5;

(20) By the division of financial institutions for any action involving the mortgage loan recovery fund;

(21) By the office of information practices; [ex]

(22) By the department of Hawaiian home lands; provided that:

(A) The department of Hawaiian home lands may use the services of the attorney general as needed and when the interests of the State and the department of Hawaiian home lands are aligned;

and

(B) Legal fees owed to independent counsel shall be paid by the State; or
By a department, if the attorney general, for reasons deemed by the attorney general to be good and sufficient, declines to employ or retain an attorney for a department; provided that the governor waives the provision of this section."

(2) By amending subsection (c) to read as follows:

"(c) Every attorney employed by any department on a full-time basis, except an attorney employed by the public utilities commission, the labor and industrial relations appeals board, the Hawaii labor relations board, the office of Hawaiian affairs, the Hawaii health systems corporation or its regional system boards, the department of commerce and consumer affairs in prosecution of consumer complaints, insurance division, the division of consumer advocacy, the University of Hawaii, the Hawaii tourism authority as provided in section 201B-2.5, the office of information practices, the department of Hawaiian homelands, or as grand jury counsel, shall be a deputy attorney general."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.
SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: ____________________________

BY REQUEST
Report Title:
Department of Hawaiian Home Lands; Legal Counsel

Description:
Allows the Department of Hawaiian Home Lands to retain independent legal counsel as needed. Authorizes the Department of Hawaiian Home Lands to use the services of the Attorney General as needed and when the interests of the State and the Department of Hawaiian Home Lands are aligned. Provides that funds owed to independent legal counsel shall be paid by the State.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.
JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO INDEPENDENT LEGAL COUNSEL.

PURPOSE: Allows the Department of Hawaiian Home Lands to retain independent legal counsel to be paid by the State and also use the services of the Attorney General as needed when the interests of the State and the Department of Hawaiian Home Lands are aligned.

MEANS: Amend section 28-8.3(a) and (c), Hawaii Revised Statutes.

JUSTIFICATION: The department has a trust duty to its beneficiaries and in the fulfillment of its trust obligations, the department may at times be at odds with the interests of the State. It is at these times that the department must be assured that its counsel provides legal guidance strictly in the interest of its client. Independent counsel that is hired and retained by the department eliminates any cloud of uncertainty that there is a conflict of interest that the department is represented by the Attorney General's office that also represents the State of Hawaii.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by allowing the department to retain independent legal counsel.

Impact on the department and other agencies: This proposal could reduce the legal services provided by the Attorney General's office.

GENERAL FUND: $500,000.
OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.
A BILL FOR AN ACT

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the requirements of section 174C-101(a), Hawaii Revised Statutes, providing that adequate reserves of water for current and foreseeable development of Hawaiian Home Lands be incorporated and protected decisions of the commission on water resource management can be improved through representation on the commission on water resource management. The purpose of this bill is to add the chairman of the Hawaiian homes commission or the chairman's designated representative to the commission on water resource management similar to the director of health or the director's designee.

SECTION 2. Section 174C-7, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

"(a) There is established within the department a commission on water resource management consisting of [seven] eight members which shall have exclusive jurisdiction and final authority in all matters relating to implementation and
administration of the state water code, except as otherwise
specifically provided in this chapter.

(b) Five members shall be appointed by the governor
subject to confirmation by the senate in the manner prescribed
in subsection (d). Each member of these five members shall
have substantial experience in the area of water resource
management; provided that at least one member shall have
substantial experience or expertise in traditional Hawaiian
water resource management techniques and in traditional Hawaiian
riparian usage such as those preserved by section 174C-101. The
chairperson of the board of land and natural resources shall be
the chairperson of the commission. The director of health or
the director's designee shall serve as an ex officio voting
member. The chairman of the Hawaiian homes commission or the
chairman's designated representative shall also serve as an ex
officio voting member."

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

BY REQUEST

HHL-02(21)
Report Title:
Water Commission; Membership; Chairman of the Hawaiian Homes Commission or Designee

Description:
Adds the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative to the Commission on Water Resource Management.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*
JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

PURPOSE: Adds the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative to the Commission on Water Resource Management.

MEANS: Amend section 174C-7 (a) and (b), Hawaii Revised Statutes.

JUSTIFICATION: The Water Code requires that planning decisions of the Commission on Water Resource Management ensure that sufficient water remain available for current and foreseeable development and use of Hawaiian Home Lands. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative should serve as an ex officio voting member of the Commission on Water Resource Management.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by allowing the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative to serve as an ex officio voting member of the Commission on Water Resource Management.

Impact on the department and other agencies: An additional member would now serve on the Commission on Water Resource Management.

GENERAL FUND: None.

OTHER FUNDS: None.
PPBS PROGRAM DESIGNATION: HHL 625.


EFFECTIVE DATE: Upon approval.
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that section 207(a) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department of hawaiian home lands to lease to native Hawaiians the right to the use and occupancy of not more than forty acres of agricultural lands or lands used for aquaculture purposes. As the State of Hawaii looks to increase food security across the State, the interests of agricultural homestead lessees should be represented. The purpose of this bill is to add the chairman of the Hawaiian homes commission or the chairman’s designated representative to the board of agriculture, similar to the chairperson of the board of land and natural resources and the director of business, economic development, and tourism.

SECTION 2. Section 26-16, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The department of agriculture shall be headed by an executive board to be known as the board of agriculture. The board shall consist of [ten] eleven members:
(1) One who shall be a resident of the county of Hawaii;
(2) One who shall be a resident of the county of Maui;
(3) One who shall be a resident of the county of Kauai;
(4) Four at large; and
(5) The chairperson of the board of land and natural
resources; the chairman of the Hawaiian homes
commission; the director of business, economic
development, and tourism; and the dean of the
University of Hawaii college of tropical agriculture
and human resources, or their designated
representatives, who shall serve as ex officio voting
members.

The majority of the members of the board shall be from the
agricultural community or the agricultural support sector. The
appointment, tenure, and removal of the members and the filling
of vacancies on the board shall be as provided in section 26-34.
The governor shall appoint a chairperson of the board from the
members."

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.
SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: ____________________________

BY REQUEST
Report Title:
Board of Agriculture; Membership; Chairman of the Hawaiian Homes Commission

Description:
Adds the Chairman of the Hawaiian Homes Commission to the Board of Agriculture.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO AGRICULTURE.

PURPOSE: Adds the Chairman of the Hawaiian Homes Commission to the Board of Agriculture.

MEANS: Amend section 26-16(a), Hawaii Revised Statutes.

JUSTIFICATION: The Hawaii Department of Agriculture headed by the Board of Agriculture works to support, enhance, promote, and protect Hawaii's agriculture and aquaculture industries. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative should serve as an ex officio voting member of the Board of Agriculture.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by allowing the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative to serve as an ex officio voting member of the Board of Agriculture.

Impact on the department and other agencies: An additional member would now serve on the Board of Agriculture.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: Board of Agriculture.
EFFECTIVE DATE:  Upon approval.
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that section 207(a) of the Hawaiian Homes Commission Act, 1920, as amended, authorizes the department of Hawaiian home lands to lease to native Hawaiians the right to the use and occupancy of not more than forty acres of agricultural lands or lands used for aquaculture purposes. As the State of Hawaii looks to increase food security across the State, the interests of agricultural homestead lessees should be represented. The purpose of this bill is to add the chairman of the Hawaiian homes commission or the chairman's designated representative to the board of directors of the agribusiness development corporation, similar to the director of business, economic development, and tourism; the chairperson of the board of agriculture; and the chairperson of the board of land and natural resources.

SECTION 2. Section 163D-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The board of directors of the corporation shall consist of [eleven] twelve voting members, of whom eight shall
be appointed by the governor. The terms of these eight members
shall be four years; provided that, commencing on July 1, 2005,
the governor shall reduce the terms of those initially appointed
so as to provide, as nearly as can be, for the expiration of an
equal number of terms at intervals of one year. The eight
members shall be selected on the basis of their knowledge,
experience, and proven expertise in small and large businesses
within the agricultural industry, agricultural economics,
banking, real estate, finance, promotion, marketing, and
management. Of these eight members, one shall be from the city
and county of Honolulu, one shall be from the county of Hawaii,
one shall be from the county of Maui, one shall be from the
county of Kauai, and four shall be appointed at-large. The
director of business, economic development and tourism; the
chairperson of the board of agriculture; [and] the chairperson
of the board of land and natural resources; and the chairman of
the Hawaiian homes commission, or their designated
representatives, shall be ex-officio, voting members of the
board. All members shall continue in office until their
respective successors have been appointed and qualified. The
board shall annually elect its chairperson from among its
members; provided that the chairperson shall not be an ex-
officio member."

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:__________________________

BY REQUEST
Report Title:
Agribusiness Development Corporation; Board Membership; Chairman of the Hawaiian Homes Commission

Description:
Adds the Chairman of the Hawaiian Homes Commission to the Board of Directors of the Agribusiness Development Corporation.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO AGRICULTURE.

PURPOSE: Adds the Chairman of the Hawaiian Homes Commission to the Board of Directors of the Agribusiness Development Corporation.

MEANS: Amend section 163D-3(b), Hawaii Revised Statutes.

JUSTIFICATION: The mission of the Agribusiness Development Corporation is to provide leadership and advocacy for the conversion of agribusiness into a dynamic growth industry. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative should serve as an ex officio voting member of the Board of Directors of the Agribusiness Development Corporation.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by allowing the Chairman of the Hawaiian Homes Commission or the Chairman's designated representative to serve as an ex officio voting member of the Board of Directors of the Agribusiness Development Corporation.

Impact on the department and other agencies: An additional member would now serve on the Board of Directors of the Agribusiness Development Corporation.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.
OTHER AFFECTED AGENCIES: Agribusiness Development Corporation.

EFFECTIVE DATE: Upon approval.
A BILL FOR AN ACT

RELATING TO HOUSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that lands utilized by
the department of Hawaiian home lands to provide housing for
native Hawaiians are offered at affordable rates when compared
to similar housing available in Hawaii. Since the enactment of
the Hawaiian Homes Commission Act, 1920, as amended, lands set
aside for use as Hawaiian home lands have been withdrawn for
other purposes, including public schools. Moreover, development
on Hawaiian home lands often account for the educational
facilities that may be needed to support the community with the
siting of public schools, public charter schools, early learning
facilities, and other similar facilities on or near Hawaiian
home lands. The purpose of this bill is to exempt any housing
development for the department of Hawaiian home lands from
school impact fee requirements.

SECTION 2. Section 302A-1603, Hawaii Revised Statutes, is
amended by amending subsection (b) to read as follows:

"(b) The following shall be exempt from this section:
(1) Any form of housing permanently excluding school-aged children, with the necessary covenants or declarations of restrictions recorded on the property;

(2) Any form of housing that is or will be paying the transient accommodations tax under chapter 237D;

(3) All nonresidential development; [and]

(4) Any development with an executed contribution agreement or other like document with the department for the contribution of school sites or payment of fees for school land or school construction; and

(5) Any housing development for the department of Hawaiian home lands."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:______________________________

BY REQUEST

HHL-05(21)
EXHIBIT A
Report Title:
School Impact Fees; Exemption

Description:
Exempts any housing development for the Department of Hawaiian Home Lands from school impact fee requirements.

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DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO HOUSING.

PURPOSE: Exempts any housing development for the Department of Hawaiian Home Lands from school impact fees.

MEANS: Amend section 302A-1603(b), Hawaii Revised Statutes.

JUSTIFICATION: Lands set aside for use as Hawaiian Home Lands were withdrawn for other purposes, including public schools, since the enactment of the Hawaiian Homes Commission Act, 1920, as amended. Additionally, the Department of Hawaiian Home Lands provides affordable housing that often account for the educational facilities that may be needed to support the community. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, any housing development for the Department of Hawaiian Home Lands should be exempt from school impact fees.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by exempting any housing development for the Department of Hawaiian Home Lands from school impact fees.

Impact on the department and other agencies: More funding could be allocated toward the development of housing instead of fees.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.
OTHER AFFECTED AGENCIES:  Department of Education.

EFFECTIVE DATE:  Upon approval.
A BILL FOR AN ACT

RELATING TO HOUSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that lands utilized by
the department of Hawaiian home lands to provide housing for
native Hawaiians are offered at affordable rates when compared
to similar housing available in Hawaii. The purpose of this
bill is to exempt any housing development for the department of
Hawaiian home lands from general excise taxes.

SECTION 2. Section 237-29, Hawaii Revised Statutes, is
amended to read as follows:

"(a) All gross income received by any qualified person or
firm for the planning, design, financing, construction, sale, or
lease in the State of a housing project that has been certified
or approved under section 201H-36 shall be exempt from general
excise taxes.

(b) All gross income received by a nonprofit or a limited
distribution mortgagor for low- and moderate-income housing
project certified or approved under section 201H-36 shall be
exempt from general excise taxes.

HHL-06(21)
(c) All gross income received by any qualified person or firm for the planning, design, financing, or construction of any housing development for the department of Hawaiian homelands shall be exempt from general excise taxes.

(d) The director of taxation and the Hawaii housing finance and development corporation shall adopt rules pursuant to chapter 91 for the purpose of this section, including any time limitation for the exemptions."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: ________________________

BY REQUEST
Report Title:
Housing; General Excise Tax Exemption

Description:
Exempts any housing development for the Department of Hawaiian Home Lands from general excise taxes.

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DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO HOUSING.

PURPOSE: Exempts any housing development for the Department of Hawaiian Home Lands from general excise taxes.


JUSTIFICATION: The Department of Hawaiian Home Lands provides housing at affordable rates when compared to similar housing available in Hawaii. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, any housing development for the Department of Hawaiian Home Lands should be exempt from general excise taxes.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by exempting any housing development for the Department of Hawaiian Home Lands from general excise taxes.

Impact on the department and other agencies: More funding could be allocated toward the development of housing instead of taxes.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.
A BILL FOR AN ACT

RELATING TO CESSPOOLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the State's streams, groundwater, and ocean are being harmed by nonpoint contamination sources that flow directly off the land, rather than through pipes or ditches. Cesspools are a nonpoint contamination source of great concern. These substandard systems are essentially holes in the ground that do not treat wastewater but merely dispose of it.

The legislature further finds that there are approximately 88,000 cesspools in the State, with nearly 50,000 on Hawaii island, approximately 14,000 on Kauai, over 12,000 on Maui, over 11,000 on Oahu, and approximately 1,400 on Molokai. Collectively, the State's cesspools release more than 53,000,000 gallons of untreated sewage into the ground each day. Hawaii relies on groundwater for ninety per cent of its drinking water.

In response to the State's cesspool pollution problem, legislation was enacted in 2017 that requires all cesspools not excluded by the director of health to be upgraded or converted to septic systems or aerobic treatment unit systems, or
connected to sewage systems by January 1, 2050. In order to
work toward meeting this deadline, cesspools on Hawaiian home
lands could be a good place to start.

The purpose of this Act is to establish a low interest loan
program to offer financial assistance for lessees on Hawaiian
home lands with cesspools to be upgraded or converted to septic
systems or aerobic treatment unit systems, or connected to
existing sewer systems or any other wastewater treatment systems
approved by the department of health.

SECTION 2. Chapter 342D, Hawaii Revised Statutes, is
amended by adding a new section to be appropriately designated
and to read as follows:

"§342D- Cesspool remediation and conversion loan

program. (a) There is established the cesspool remediation and
conversion loan program to be administered by the department in
coordination with each county water and sewage department. The
program may provide low interest loans to lessees of the
department of Hawaiian home lands who:

(1) Upgrade or convert a cesspool to:

(A) A septic system; or
(B) An aerobic treatment unit system, as defined in section 342D-72 and approved by the department;

or

(2) Connect a cesspool to:

(A) An existing sewer system; or

(B) Any wastewater treatment system approved by the department

(b) The loan program may include an on-bill financing option supported by the water pollution control revolving fund established in section 342D-83."

SECTION 3. Section 342D-83, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The purpose of the revolving fund is to provide financial assistance to eligible parties for projects or activities to:

(1) Enable counties and state agencies to plan, design, and construct publicly owned wastewater treatment works in accordance with title 33 United States Code sections 1381 to 1387;

(2) Enable eligible parties to implement management programs established under title 33 United States Code section 1329;
(3) Enable eligible parties to implement conservation and management plans established under title 33 United States Code section 1330;

(4) Enable eligible parties to construct, repair, or replace a privately owned decentralized wastewater treatment system and individual wastewater system that treats municipal wastewater or domestic sewage under title 33 United States Code section 1383;

(5) Enable eligible nonprofit entities to provide assistance to small and medium sized publicly owned treatment works for training activities, planning, design, and associated preconstruction activities under title 33 United States Code section 1383;

(6) Enable eligible parties to manage, reduce, treat, or recapture stormwater or subsurface drainage water under title 33 United States Code section 1383;

(7) Enable eligible parties to develop and implement watershed projects meeting the criteria under title 33 United States Code section 1274;

(8) Enable counties and state agencies to reduce the demand for publicly owned treatment works capacity
through water conservation, efficiency, or reuse under title 33 United States Code section 1383;

(9) Enable counties and state agencies to reduce the energy consumption needs for publicly owned treatment works under title 33 United States Code section 1383;

(10) Enable eligible parties to reuse or recycle wastewater, stormwater, or subsurface drainage water under title 33 United States Code section 1383[1]; and

(11) Enable eligible parties to increase the security of publicly owned treatment works under title 33 United States Code section 1383[2]; and

(12) Enable the department to coordinate with each county agency responsible for wastewater to establish a low interest loan program to upgrade or convert cesspools for lessees on Hawaiian homelands to septic systems or aerobic treatment unit systems, or to connect cesspools to existing sewer systems or any other wastewater treatment systems approved by the department."

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.
SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY: __________________________

BY REQUEST
Report Title:
Cesspools; Upgrade and Conversion; Low Interest Loan Program

Description:
Authorizes the Department of Health to coordinate with each county wastewater agency to establish a low interest loan program for lessees on Hawaiian Home Lands to upgrade or convert cesspools to septic systems or aerobic treatment unit systems, or to connect cesspools to existing sewer systems or other wastewater treatment systems approved by the department.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*
JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO CESSPOOLS.

PURPOSE: Establishes a low interest loan program to offer financial assistance for lessees on Hawaiian Home Lands with cesspools to be upgraded or converted to septic systems or aerobic treatment unit systems, or connected to existing sewer systems or any other wastewater treatment systems approved by the Department of Health.

MEANS: Adds a new section to Chapter 342D, Hawaii Revised Statutes.

JUSTIFICATION: Cesspools are a nonpoint contamination source of great concern. Collectively, the State's cesspools release more than 53 million gallons of untreated sewage into the ground each day. In response to the State's cesspool pollution problem, legislation was enacted in 2017 that requires all cesspools not excluded by the Director of Health to be upgraded or converted to septic systems or aerobic treatment unit systems, or connected to sewage systems by January 1, 2050. In order to work toward meeting this deadline, cesspools on Hawaiian Home Lands could be a good place to start.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by establishing a low interest loan program to offer financial assistance for lessees on Hawaiian Home Lands with cesspools to be upgraded or converted to septic systems or aerobic treatment unit systems, or connected to existing sewer systems or any other wastewater treatment systems approved by the Department of Health.
Impact on the department and other agencies: Reduce the number of cesspools across the State.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: Department of Health.

EFFECTIVE DATE: Upon approval.
A BILL FOR AN ACT

RELATING TO THE COUNTY BOARDS OF WATER SUPPLY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that Article XII, Section 2 of the Constitution, states in part that "The State and its people do further agree and declare that the spirit of the Hawaiian Homes Commission Act looking to the continuance of the Hawaiian homes projects for the further rehabilitation of the Hawaiian race shall be faithfully carried out." This obligation held by the State is also held by the counties, which are under Article VIII of the Constitution administrative subdivisions of the state.

The legislature further finds that the lack of available water has been and remains a significant barrier to the state's ability to faithfully carry out Hawaiian homes projects. The county boards and departments of water supply have no administrative rules or policies for differentiating and prioritizing the development and provision of water for Hawaiian homes projects when compared to other State or even private projects, and therefore some counties have treated the department of Hawaiian home lands like any other developer.
The legislature further finds that working with the department of Hawaiian home lands, the commission on water resource management has set some ground water and surface water reservations for Hawaiian homes projects on Kaua'i, O'ahu, Moloka'i, Lāna'i, Maui, and Hawai'i islands, and continues to set additional reservations in partial fulfillment of the requirements of section 174C-101(a), Hawaii Revised Statutes.

The legislature further finds that this necessary action by the commission on water resource management will result in being nothing more than the noting of numbers on paper unless the counties as administrative subdivisions of the state, and particularly their boards and departments of water supply, fulfill their legal obligations to faithfully take actions within their powers to fulfill the Hawaiian Homes Commission Act in spirit and practice.

The purpose of this bill is to clarify requirements on the county boards of water supply to fulfill the Constitutional mandate.

SECTION 2. Chapter 54, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:
§54- County boards of water supply and their obligation to the department of Hawaiian home lands. (a) All boards have, as parts of their counties which are subdivisions of the State, legal obligations to faithfully take actions within their powers to fulfill the Hawaiian Homes Commission Act in spirit and practice.

(b) Prior to June 30 of each fiscal year, the boards shall transmit to the department of Hawaiian home lands an accounting of all water credits held by the county for all of their respective systems. The department of Hawaiian home lands shall inform the counties by no later than September 30 of that same fiscal year which credits it will need to be allocated towards its uses under Section 221 of the Hawaiian Homes Commission Act. The boards shall reserve those credits for the use of the department of Hawaiian home lands and not allocate them to any other user unless the department of Hawaiian home lands surrenders those credits.

(c) In the negotiation of any water development, water credit, or similar agreement, the counties shall not withhold any water developed by the department of Hawaiian home lands for the board's own use and allocation, but shall instead credit the
department of Hawaiian home lands the full amount of credits justified by the water development.

(d) The boards shall develop policies to implement in case of water shortage that do not call for equal percentage reductions in use, but rather first require reductions in non public trust uses of water, including the uses on Hawaiian home lands under Section 221 of the act.

(e) No later than July 30, 2022, the boards shall apply for water licenses of any waters they develop or have in their system emanating from state lands, under section 171-58, Hawaii Revised Statutes.

(f) All sections in this Part shall apply, any provisions in a county charter or ordinance notwithstanding."

SECTION 3. Section 54-12, Hawaii Revised Statues, is amended to read as follows:

"If a county does not have an existing board of water supply, there shall be a board of water supply for each county consisting of seven members of whom five shall be nominated, and by and with the advice and consent of the council, appointed by the mayor, provided that at least one of the five members shall represent the interests to be served by the allocation of water for current and foreseeable development and use of Hawaiian home
lands as set forth in section 221 of the Hawaiian Homes
Commission Act, one of whom shall be the state district engineer
of the state department of transportation and one of whom shall
be the chief engineer of the respective county.

No employee or officer of any county shall be eligible to
serve as a board member, except as otherwise provided herein.
The members of the board shall serve without pay, but shall
be reimbursed for their reasonable expenses incurred in the
discharge of their duties as members of the board.

The term of office of each appointed member of the board
shall be five years from the date of the member’s appointment;
provided that of the initial members one shall be appointed for
a term to expire on January 1, 1963; one for a term to expire on
January 1, 1964; one for a term to expire on January 1, 1965;
one for a term to expire on January 1, 1966; and one for a term
to expire on January 1, 1967. Any vacancy occurring on the
board shall be filled in accordance with the foregoing
provisions for the unexpired portion of the term concerned."

SECTION 4. Section 54-52, Hawaii Revised Statues, is
amended to read as follows:

"The eight appointive members of the board of water supply
shall be appointed by the chairperson of the council of the
county, with the approval of the council, provided that at least
two of the eight members shall represent the interests to be
served by the allocation of water for current and foreseeable
development and use of Hawaiian home lands as set forth in
section 221 of the Hawaiian Homes Commission Act. The
chairperson shall likewise designate the chairperson of the
board of water supply from among the appointive members. The
members of the board shall serve without pay, but shall be
reimbursed for their reasonable expenses. Each member of the
board shall be, at the time of the member’s appointment, an
elector of the county of Hawaii and shall have been such for at
least three years next preceding the member’s appointment. Any
member of the board may be removed from office by the
chairperson of the council of the county, with the approval of
the council.

Membership of the board shall include four members who are
residents of the district of North or South Hilo, provided that
at least one of the four members shall represent the interests
to be served by the allocation of water for current and
foreseeable development and use of Hawaiian home lands as set
forth in section 221 of the Hawaiian Homes Commission Act and;
one of the four members shall be the person who for the time
being shall be the legal incumbent of the office of the chief
engineer of the department of public works of the county. In
addition, one member shall be a resident of the district of
North Kona or South Kona, one member shall be a resident of the
district of North Kohala or South Kohala, one member shall be a
resident of the district of Hamakua, one member shall be a
resident of the district of Puna, and one member shall be a
resident of the district of Kau. Of these five members from
different geographic regions of the county of Hawaii, at least
one of the five members shall represent the interests to be
served by the allocation of water for current and foreseeable
development and use of Hawaiian home lands as set forth in
section 221 of the Hawaiian Homes Commission Act.

The term of office of the appointive members of the board
shall be five years from and after the date of their respective
appointments. Any vacancy occurring on the board shall be
filled by appointment. The one appointed to fill the vacancy
shall serve only for the unexpired term of the person whom the
appointive member succeeds. Officers and employees of the
county of Hawaii shall not be eligible for appointive membership
on the board."

SECTION 5. New statutory material is underscored.
SECTION 6. This Act shall take effect upon its approval.

INTRODUCED BY:__________________________

BY REQUEST
Report Title:
County Boards of Water Supply; Department of Hawaiian Home Lands

Description:
Clarify requirements on the County Boards of Water Supply. Add representation on the County Boards of Water Supply of the interests to be served by the allocation of water for current and foreseeable development and use of Hawaiian Home Lands as set forth in section 221 of the Hawaiian Homes Commission Act.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*
JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE COUNTY BOARDS OF WATER SUPPLY.

PURPOSE: Clarifies requirements on the County Boards of Water Supply and adds representation on the County Boards of Water Supply of the interests to be served by the allocation of water for current and foreseeable development and use of Hawaiian Home Lands as set forth in section 221 of the Hawaiian Homes Commission Act.

MEANS: Adds a new section to Chapter 54, Hawaii Revised Statutes and amends section 54-12 and 54-52.

JUSTIFICATION: The lack of available water has been and remains a significant barrier to the state’s ability to faithfully carry out Hawaiian Homes projects. The County Boards and Departments of Water Supply have no administrative rules or policies for differentiating and prioritizing the development and provision of water for Hawaiian Homes projects when compared to other State or even private projects. In order to further the interest of beneficiaries of the Hawaiian Homes Commission Act, this bill clarifies the requirements and adds representation on the County Boards of Water Supply.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by clarifying the requirements and adding representation on the Boards of Water Supply.
Impact on the department and other agencies:
More accountability for the allocation of water for current and foreseeable development and use of Hawaiian Home Lands.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.
RELATING TO WATER RIGHTS

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that programs for watershed management by the department of land and natural resources, the betterment of the conditions of native Hawaiians and Hawaiians by the office of Hawaiian affairs, and operation of the native Hawaiian rehabilitation fund all benefit from revenues generated by the disposition of water rights.

SECTION 2. Section 171-58, Hawaii Revised Statutes, is amended to read as follows:

"(a) Except as provided in this section the right to any mineral or surface or ground water shall not be included in any lease, agreement, or sale, this right being reserved to the State; provided that the board may make provisions in the lease, agreement, or sale, for the payment of just compensation to the surface owner for improvements taken as a condition precedent to the exercise by the State of any reserved rights to enter, sever, and remove minerals or to capture, divert, or impound water."
(b) Disposition of mineral rights shall be in accordance with the laws relating to the disposition of mineral rights enacted or hereafter enacted by the legislature.

(c) Disposition of water rights may be made by lease at public auction as provided in this chapter or by permit for temporary use on a month-to-month basis under those conditions which will best serve the interests of the State and subject to a maximum term of one year and other restrictions under the law; provided that any disposition by lease shall be subject to disapproval by the legislature by two-thirds vote of either the senate or the house of representatives or by majority vote of both in any regular or special session next following the date of disposition; provided further that after a certain land or water use has been authorized by the board subsequent to public hearings and conservation district use application and environmental impact statement approvals, water used in nonpolluting ways, for nonconsumptive purposes because it is returned to the same stream or other body of water from with it was drawn, essentially not affecting the volume and quality of water or biota in the stream or other body of water, may also be leased by the board with the prior approval of the governor and
owned by the lessee so much water as it may deem necessary to
(1) preserve human life and (2) preserve animal life, in that
order of priority; and that from waters leased from the State
the board, at any time during the term of the lease of water
rights, may also withdraw so much water as it may deem necessary
to preserve crops; provided that payment for the waters shall be
made in the same manner as provided in this section.

c) Any new lease of water rights shall contain a covenant
that requires the lessee and the department of land and natural
resources to jointly develop and implement a watershed
management plan. The board shall not approve any new lease of
water rights without the forgoing covenant or a watershed
management plan. The board shall prescribe the minimum content
of a watershed management plan; provided that the watershed
management plan shall require the prevention of the degradation
of surface water and ground water quality to the extent that
degradation can be avoided using reasonable management
practices.

(f) Upon renewal, any lease of water rights shall contain
a covenant that requires the lessee and the department of land
and natural resources to jointly develop and implement a
watershed management plan. The board shall not renew any lease
of water rights without the foregoing covenant or a watershed
management plan. The board shall prescribe the minimum content
of a watershed management plan; provided that the watershed
management plan shall require the prevention of the degradation
of surface water and ground water quality to the extent that
degradation can be avoided using reasonable management
practices.

(g) The department of land and natural resources shall
notify the department of Hawaiian home lands of its intent to
execute any new lease, or to renew any existing lease of water
rights. After consultation with affected beneficiaries, these
departments shall jointly develop a reservation of water rights
sufficient to support current and future homestead needs. Any
lease of water rights or renewal shall be subject to the rights
of the department of Hawaiian home lands as provided by section
221 of the Hawaiian Home Commission Act.

(h) Any disposition of water rights by the state, or land
with associated water rights, must comply with this
section. Permits issued under Part IV of HRS 174C must also
have a disposition under this section issued by the board no
later than December 31, 2025.
(i) The upset price if the disposition is by lease, or the minimum price if disposed by direct negotiation, shall be no less than 80% of the total cost of the least expensive actually practicable source of water for the given use, as determined by an independent third-party appraiser."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: ____________________________

BY REQUEST
Report Title:
Water Rights; Upset Price; Minimum Price

Description:
Sets the upset price if the disposition of water is by lease or
the minimum price if disposed by direct negotiation.

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<table>
<thead>
<tr>
<th>DEPARTMENT:</th>
<th>Hawaiian Home Lands</th>
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</thead>
<tbody>
<tr>
<td>TITLE:</td>
<td>A BILL FOR AN ACT RELATING TO WATER RIGHTS.</td>
</tr>
<tr>
<td>PURPOSE:</td>
<td>Sets the upset price if the disposition of water is by lease or the minimum price if disposed by direct negotiation.</td>
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<tr>
<td>MEANS:</td>
<td>Adds two new subsections to 171-58, Hawaii Revised Statutes.</td>
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<tr>
<td>JUSTIFICATION:</td>
<td>Revenues generated by the disposition of water rights benefit programs for watershed management by the Department of Land and Natural Resources, the betterment of conditions of native Hawaiians and Hawaiians by the Office of Hawaiian Affairs, and operation of the native Hawaiian rehabilitation fund.</td>
</tr>
</tbody>
</table>

**Impact on the public:** This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by setting the upset price if the disposition of water is by lease or the minimum price if disposed by direct negotiation.

**Impact on the department and other agencies:** Increase revenue for the Department of Land and Natural Resources, Office of Hawaiian Affairs, and native Hawaiian rehabilitation fund.

<table>
<thead>
<tr>
<th>GENERAL FUND:</th>
<th>None.</th>
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<tr>
<td>OTHER FUNDS:</td>
<td>None.</td>
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<tr>
<td>PPBS PROGRAM DESIGNATION:</td>
<td>HHL 625.</td>
</tr>
<tr>
<td>OTHER AFFECTED AGENCIES:</td>
<td>Department of Land and Natural Resources. Office of Hawaiian Affairs.</td>
</tr>
</tbody>
</table>
EFFECTIVE DATE: Upon approval.
A BILL FOR AN ACT

RELATING TO COUNTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that lands utilized by
the department of Hawaiian home lands to provide housing for
native Hawaiians are offered at affordable rates when compared
to similar housing available in Hawaii. The purpose of this
bill is to require counties to provide for the maintenance of
infrastructure for any housing development for the department of
Hawaiian home lands within a specified time and under certain
conditions.

SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
by adding a new section to be appropriately designated and to
read as follows:

"§46- Infrastructure maintenance; housing development
for the department of Hawaiian home lands. (a) Notwithstanding
any other provision to the contrary, infrastructure for any
housing development for the department of Hawaiian home lands
shall be maintained by the county in which the housing
development is located within sixty days of the receipt by the
appropriate county council of a completed application for
maintenance request; provided that:

(1) Applicable meter and connection fees and utility costs
relating to the infrastructure have been paid;

(2) The infrastructure conforms to applicable county
standards in effect at the time of construction; and

(3) The completion of the improvements of the
infrastructure is granted approval by the county.

(b) For the purposes of this section:

"Infrastructure" includes waterlines and appurtenances,
storm drainage, including catch basins, sewerlines and
appurtenances, waste disposal and waste treatment systems,
roadway improvements including pavement, gutters, curbing,
sidewalks, street trees, and street lighting that connect to
county infrastructure."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

BY REQUEST
Report Title:
Counties; Department of Hawaiian Home Lands; Infrastructure

Description:
Requires counties within 60 days to maintain infrastructure, under specified conditions, as part of any housing development for the Department of Hawaiian Home Lands.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO COUNTIES.

PURPOSE: Requires the Counties within 60 days to maintain infrastructure, under specified conditions, as part of any housing development for the Department of Hawaiian Home Lands.

MEANS: Adds a new section to Chapter 46, Hawaii Revised Statutes.

JUSTIFICATION: The Department of Hawaiian Home Lands complies with County requirements when developing subdivisions, yet the maintenance of infrastructure is often still the responsibility of the Department.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by requiring the Counties to maintain infrastructure as part of any housing development for the Department of Hawaiian Home Lands.

Impact on the department and other agencies: More funding could be allocated toward the development of housing instead of maintenance of infrastructure.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.

HHL-10(21)

EXHIBIT A
A BILL FOR AN ACT

RELATING TO INDUSTRIAL HEMP.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that Article XII, Section 2 of the Constitution, states in part that "The State and its people do further agree and declare that the spirit of the Hawaiian Homes Commission Act looking to the continuance of the Hawaiian homes projects for the further rehabilitation of the Hawaiian race shall be faithfully carried out." Affording the opportunity to utilize lands designated for agriculture by the department of Hawaiian home lands would allow for increased revenue for both beneficiaries and the department of Hawaiian home lands. The purpose of this bill is to expand the industrial hemp pilot program to the Hawaiian home lands.

SECTION 2. Chapter 141, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"141- Industrial hemp pilot program on hawaiian home lands. (a) The department of agriculture shall advise and assist the department of Hawaiian home lands in expanding the industrial hemp pilot program on Hawaiian home lands."
SECTION 3. New statutory material is underscored.
SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:__________________________

BY REQUEST
Report Title:
Industrial Hemp; Department of Hawaiian Home Lands

Description:
Expands the industrial hemp pilot program on Hawaiian Home Lands.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.
DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP.

PURPOSE: Expands the industrial hemp pilot program administered by the Department of Agriculture on Hawaiian Home Lands.

MEANS: Adds a new section to Chapter 141, Hawaii Revised Statutes.

JUSTIFICATION: The Department’s large agricultural land holdings provide great opportunity for the State to diversify its economic outputs and revenue. The opportunity to cultivate industrial hemp would increase jobs and training for native Hawaiians in the development of this new sector.

Impact on the public: The Department, its beneficiaries, and its licensees would have increased opportunity to take advantage of a burgeoning economic sector.

Impact on the department and other agencies: The Department of Hawaiian Home Lands, the Department of Agriculture, and the Board of Agriculture would need to collaborate to ensure proper compliance and development of the industrial hemp industry within the confines of the pilot program.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: Department of Agriculture.

EFFECTIVE DATE: Upon approval.
A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION REVIEWS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that section 6E-8, Hawaii Revised Statutes, plays an important role in the protection and management of the State's historic properties and burial sites. Section 6E-8(c) requires the department of Hawaiian home lands, prior to any proposed project relating to lands under its jurisdiction, to consult with the department of land and natural resources regarding the effect of the project upon historic property or a burial site. The purpose of this bill is to allow the department of Hawaiian home lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

SECTION 2. Section 6E-8, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The department of Hawaiian home lands, [prior to] may assume review of the effect of any proposed project relating to lands under its jurisdiction[, shall consult with the department] regarding the effect of the project upon historic property or a burial site."
SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: ________________________________

BY REQUEST
Report Title:
DHHL; Project Reviews of Proposed State Projects

Description:
Allows the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.

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<td><strong>TITLE:</strong></td>
<td>A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS.</td>
</tr>
<tr>
<td><strong>PURPOSE:</strong></td>
<td>Allows the Department of Hawaiian Home Lands to assume review of the effect of any proposed project on historic properties or burial sites for lands under its jurisdiction.</td>
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<tr>
<td><strong>MEANS:</strong></td>
<td>Amend section 6E-8 (c), Hawaii Revised Statutes.</td>
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<tr>
<td><strong>JUSTIFICATION:</strong></td>
<td>Instead of requiring the Department of Hawaiian Home Lands to consult with the Department of Land and Natural Resources regarding the effect of a project upon historic properties or burial sites, this proposal would streamline the process by allowing the Department of Hawaiian Home Lands to assume this review.</td>
</tr>
</tbody>
</table>

**Impact on the public:** This proposal advances the interest of beneficiaries of the Hawaiian Homes Commission Act by streamlining the review process for any proposed project on Hawaiian Home Lands.

**Impact on the department and other agencies:** The Department of Hawaiian Home Lands would assume this function for lands under its jurisdiction freeing up those resources for the Department of Land and Natural Resources to service other agencies.

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<thead>
<tr>
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<tr>
<td><strong>PPBS PROGRAM DESIGNATION:</strong></td>
<td>HHL 625.</td>
</tr>
</tbody>
</table>
OTHER AFFECTED AGENCIES: Department of Land and Natural Resources.

EFFECTIVE DATE: Upon approval.
A BILL FOR AN ACT

RELATING TO THE EXPEDITED AGENCY HEARING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that certain activity that threatens the health and safety of the community should be expedited for review by each state agency. The purpose of this bill is to establish an expedited agency hearing.

SECTION 2. Chapter 91, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§91- Expedited agency hearing. (a) The expedited agency hearing is established for any proceeding that involves:

(1) Any criminal activity that threatens the health and safety of the community, or

(2) Any drug-related criminal activity.

(b) The expedited agency hearing shall be promptly scheduled for a time and place reasonably convenient to both the party and the agency. A written notification specifying the time, place, and procedures governing the hearing shall be delivered to the party."
(c) The decision and order of the expedited agency hearing shall be in accordance with section 91-12."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:______________________________

BY REQUEST
Report Title:
Administrative Procedure; Expedited Agency Hearing

Description:
Establishes an expedited agency hearing for any criminal activity that threatens the health and safety of the community or any drug-related criminal activity.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE EXPEDITED AGENCY HEARING.

PURPOSE: Establishes an expedited agency hearing for any criminal activity that threatens the health and safety of the community or any drug-related criminal activity.

MEANS: Adds a new section to Chapter 91, Hawaii Revised Statutes.

JUSTIFICATION: Concerns have arisen regarding ongoing activity that is threatening the health and safety of the community. This bill will establish an expedited agency hearing allowing for a prompt response.

Impact on the public: This proposal protects the health and safety of communities.

Impact on the department and other agencies: All state agencies would have the means to promptly respond to concerns that threaten health and safety.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: State agencies.

EFFECTIVE DATE: Upon approval.

HHL-14(21)