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# A BILL FOR AN ACT

RELATING TO INDEPENDENT LEGAL COUNSEL.

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

1           SECTION 1. The legislature finds that Congress through the  
2 Hawaiian Homes Commission Act, 1920, as amended (HHCA), set  
3 aside lands to be used for the benefit of native Hawaiians. As  
4 required by the Admission Act and as a compact with the United  
5 States, the State of Hawaii and the people of Hawaii adopted the  
6 HHCA as a provision of the Hawaii State Constitution and agreed  
7 to faithfully carry out the spirit of the HHCA for the  
8 rehabilitation of the Hawaiian race. These trust  
9 responsibilities remain to this day.

10           Given this unique and significant history, the department  
11 of Hawaiian home lands should be allowed to retain independent  
12 legal counsel despite being one of eighteen principal  
13 departments of the executive branch of state government. At the  
14 same time, the option of utilizing the services of the attorney  
15 general as needed remains available.

16           The purpose of this Act is to allow the department of  
17 Hawaiian home lands to retain independent legal counsel.

.B. NO.    

1           Section 2. Section 28-8.3, Hawaii Revised Statutes, is  
2 amended as follows:

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

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

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

14           (2) By any court or judicial or legislative office of the  
15 State; provided that if the attorney general is  
16 requested to provide representation to a court or  
17 judicial office by the chief justice or the chief  
18 justice's designee, or to a legislative office by the  
19 speaker of the house of representatives and the  
20 president of the senate jointly, and the attorney  
21 general declines to provide such representation on the  
22 grounds of conflict of interest, the attorney general

.B. NO.          

- 1           shall retain an attorney for the court, judicial, or  
2           legislative office, subject to approval by the court,  
3           judicial, or legislative office;
- 4           (3) By the legislative reference bureau;
- 5           (4) By any compilation commission that may be constituted  
6           from time to time;
- 7           (5) By the real estate commission for any action involving  
8           the real estate recovery fund;
- 9           (6) By the contractors license board for any action  
10          involving the contractors recovery fund;
- 11          (7) By the office of Hawaiian affairs;
- 12          (8) By the department of commerce and consumer affairs for  
13          the enforcement of violations of chapters 480 and  
14          485A;
- 15          (9) As grand jury counsel;
- 16          (10) By the Hawaii health systems corporation, or its  
17          regional system boards, or any of their facilities;
- 18          (11) By the auditor;
- 19          (12) By the office of ombudsman;
- 20          (13) By the insurance division;
- 21          (14) By the University of Hawaii;
- 22          (15) By the Kahoolawe island reserve commission;

.B. NO.    

- 1           (16) By the division of consumer advocacy;
- 2           (17) By the office of elections;
- 3           (18) By the campaign spending commission;
- 4           (19) By the Hawaii tourism authority, as provided in
- 5                 section 201B-2.5;
- 6           (20) By the division of financial institutions;
- 7           (21) By the office of information practices;
- 8           (22) By the school facilities authority; [~~or~~]
- 9           (23) By the department of Hawaiian home lands; provided
- 10           that:
- 11                 (A) The department of Hawaiian home lands may use the
- 12                 services of the attorney general as needed; and
- 13                 (B) Legal fees owed to independent counsel shall be
- 14                 paid by the State; or
- 15           [~~(23)~~] (24) By a department, if the attorney general, for
- 16                 reasons deemed by the attorney general to be good and
- 17                 sufficient, declines to employ or retain an attorney
- 18                 for a department; provided that the governor waives
- 19                 the provision of this section."
- 20           (2) By amending subsection (c) to read as follows:
- 21                 "(c) Every attorney employed by any department on a full-
- 22           time basis, except an attorney employed by the public utilities

.B. NO.          

1 commission, the labor and industrial relations appeals board,  
2 the Hawaii labor relations board, the office of Hawaiian  
3 affairs, the Hawaii health systems corporation or its regional  
4 system boards, the department of commerce and consumer affairs  
5 in prosecution of consumer complaints, insurance division, the  
6 division of consumer advocacy, the University of Hawaii, the  
7 Hawaii tourism authority as provided in section 201B-2.5, the  
8 office of information practices, the department of Hawaiian home  
9 lands, or as grand jury counsel, shall be a deputy attorney  
10 general."

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

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

14

15 INTRODUCED BY: \_\_\_\_\_

16

BY REQUEST

\_\_\_\_.B. NO.\_\_\_\_

**Report Title:**

Department of Hawaiian Home Lands; Legal Counsel

**Description:**

Allows the Department of Hawaiian Home Lands to retain independent legal counsel. Authorizes the Department of Hawaiian Home Lands to use the services of the Attorney General as needed. 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: To allow 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.

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 Department of the Attorney General 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 Department of the Attorney General.

GENERAL FUND: \$500,000.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION: HHL 625.

OTHER AFFECTED

AGENCIES: None.

EFFECTIVE DATE: Upon approval.

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# A BILL FOR AN ACT

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

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

1           SECTION 1. The legislature finds that section 174C-101(a),  
2 Hawaii Revised Statutes, requires decisions of the commission on  
3 water resource management to incorporate and protect adequate  
4 reserves of water for current and foreseeable development and  
5 use of Hawaiian home lands. The purpose of this Act is to add  
6 the chair of the Hawaiian homes commission, or the chair's  
7 designee, to the commission on water resource management in a  
8 similar ex officio membership as the director of health or the  
9 director's designee.

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

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



\_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

Commission on Water Resource Management; Membership

**Description:**

Adds the Chair of the Hawaiian Homes Commission or the Chair's designee to the Commission on Water Resource Management.

Increases number of commission members from seven to eight, with only five of eight required to have substantial experience in 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: To add the Chair of the Hawaiian Homes Commission or the Chair's designee to the Commission on Water Resource Management.

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

JUSTIFICATION: The State Water Code requires that decisions of the Commission on Water Resource Management incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian Home Lands. Allowing the Chair of the Hawaiian Homes Commission or the Chair's designee to serve on the Commission on Water Resource Management, would provide an opportunity for the Chair or the Chair's designee to participate in setting policies, defining uses, and establishing priorities and procedures over land-based surface water and ground water resources, which are key components of the development and use of Hawaiian Home Lands.

Clarifies in section 174C-7(b), HRS, that only five water commission members selected by the Governor must have substantial experience in the area of water resource management.

Impact on the public: This bill protects the interests of beneficiaries of the Hawaiian Homes Commission Act by allowing the Chair of the Hawaiian Homes Commission or the Chair'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 serve on the  
Commission on Water Resource Management.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: Commission on Water Resource Management.

EFFECTIVE DATE: Upon approval.

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# A BILL FOR AN ACT

RELATING TO HOUSING.

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

1           SECTION 1. The legislature finds that homestead lots or  
2 housing developed for the department of Hawaiian home lands  
3 awarded to native Hawaiians are offered at affordable rates when  
4 compared to similar housing opportunities available in Hawaii.  
5 The purpose of this Act is to exempt any development of  
6 homestead lots or housing for the department of Hawaiian home  
7 lands from general excise and use taxes.

8           SECTION 2. Chapter 237, Hawaii Revised Statutes, is  
9 amended by adding a new section to be appropriately designated  
10 and to read as follows:

11           "§237-    Exemptions for any development of homestead lots  
12 or housing for the department of Hawaiian home lands. (a) This  
13 chapter shall not apply to gross proceeds of sale or gross  
14 income arising from the planning, design, financing, or  
15 construction of any development of homestead lots or housing,  
16 including on- and off-site infrastructure and appurtenances, for  
17 the department of Hawaiian home lands as provided in this  
18 section.

.B. NO.    

1       (b) The exemption eligibility shall be approved by the  
2 department of Hawaiian home lands and shall apply to the amounts  
3 derived by any qualified person or firm from a newly constructed  
4 or a moderately or substantially rehabilitated project that is  
5 developed:

6       (1) For the department of Hawaiian home lands;

7       (2) Under a government assistance program approved by the  
8 department of Hawaiian home lands;

9       (3) Under the sponsorship of a nonprofit organization  
10 providing home rehabilitation or new homes for  
11 qualified families in need of decent, low-cost  
12 housing; or

13       (4) To provide affordable rental housing where at least  
14 fifty per cent of the available units are for  
15 households with incomes at or below eighty per cent of  
16 the area median family income as determined by the  
17 United States Department of Housing and Urban  
18 Development.

19       (c) All claims for exemption under this section shall be  
20 filed with and certified by the department of Hawaiian home  
21 lands and forwarded to the department of taxation by the

.B.NO.    

1 claimant. Any claim for exemption that is filed and approved  
2 shall not be considered a subsidy.

3 (d) The department of Hawaiian home lands may establish,  
4 revise, charge, and collect a reasonable service fee, as  
5 necessary, in connection with its approvals and certifications  
6 of the exemption under this section. The fees shall be  
7 deposited into the Hawaiian home operating fund.

8 (e) For purposes of this section:

9 "Homestead lot":

10 (1) Means a lot of residential, agricultural or pastoral  
11 use to be awarded pursuant to the Hawaiian Homes Commission Act,  
12 1920, as amended, including but not limited to on- and off-site  
13 infrastructure requirements and dwelling units.

14 "Moderately rehabilitated":

15 (2) Means rehabilitation to upgrade a dwelling unit to a  
16 decent, safe, and sanitary condition; or includes the repair or  
17 replacement of major building systems or components in danger of  
18 failure.

19 "Substantially rehabilitated":

20 (1) Means the improvement of a property to a decent, safe,  
21 and sanitary condition that requires more than routine



\_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

Department of Hawaiian Home Lands; General Excise Tax Exemption;  
Use Tax Exemption

**Description:**

Exempts any development of homestead lots or housing for the  
Department of Hawaiian Home Lands from general excise and use  
taxes.

*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 HOUSING.

PURPOSE: To exempt any development of homestead lots or housing for the Department of Hawaiian Home Lands from general excise taxes.

MEANS: Add a new section to chapter 237 and amend section 238-3(j), Hawaii Revised Statutes.

JUSTIFICATION: The savings resulting from the exemption from general excise land use taxes that the Department of Hawaiian Home Lands can accrue from this measure would be applied to the development of additional housing and associated infrastructure allowing the Department to more fully commit the funding received toward its mission, which will encourage and enable the production of more homestead lots or housing units for beneficiaries of the Hawaiian Homes Commission Act 1920, as amended.

Impact on the public: This bill further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by exempting any development of homestead lots or housing 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 homestead lots or housing instead of taxes.

GENERAL FUND: \$23,000,000.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED

Page 2

AGENCIES: None.

EFFECTIVE DATE: January 1, 2024.

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# A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION REVIEWS.

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

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

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

14           "(b) [The] Notwithstanding subsection (a), the department  
15 of Hawaiian home lands [, prior to] may assume review of any  
16 proposed project relating to lands under its jurisdiction [,]  
17 ~~shall consult with the department regarding the effect of the~~  
18 ~~project upon historic property or a burial site.]~~ pursuant to

.B.NO.    

1 this section, and pursuant to any administrative rule adopted  
2 thereunder; provided that the department of Hawaiian home lands  
3 shall:

4     (1) Designate the review to a Hawaiian home lands  
5     preservation officer who has professional competence  
6     and experience in the field of historic preservation;  
7     and

8     (2) Ensure that copies of all reports, maps, and  
9     documents, including those reflecting the Hawaiian  
10    home lands preservation official's comments,  
11    recommendations, and decisions, are provided to the  
12    department to be incorporated into the historic  
13    preservation digital document management system and  
14    library.

15 The department shall retain authority for review under this  
16 section for projects affecting properties listed or nominated  
17 for inclusion in the Hawaii register of historic places or the  
18 national register of historic places."

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

21

\_\_\_\_.B. NO.\_\_\_\_

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

2

3

INTRODUCED BY: \_\_\_\_\_

4

BY REQUEST

\_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

Historic Preservation; Department of Hawaiian Home Lands;  
Project Reviews of Proposed State Projects

**Description:**

Allows the Department of Hawaiian Home Lands to assume historic preservation review of the effect of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS.

PURPOSE: To allow the Department of Hawaiian Home Lands to assume review of the effect of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places.

MEANS: Amend section 6E-8(b), Hawaii Revised Statutes.

JUSTIFICATION: 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 bill would streamline the process by allowing the Department of Hawaiian Home Lands to assume this review.

Impact on the public: This bill 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.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: Department of Land and Natural Resources.

EFFECTIVE DATE: Upon approval.

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# A BILL FOR AN ACT

RELATING TO INTERIM ADMINISTRATIVE RULES OF THE DEPARTMENT OF  
HAWAIIAN HOME LANDS.

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

1           SECTION 1. The legislature finds that the department of  
2 Hawaiian home lands conducts beneficiary consultation as defined  
3 in section 10-4-60, Hawaii Administrative Rules prior to  
4 initiating the rule making process pursuant to Chapter 91,  
5 Hawaii Revised Statutes, which lengthens the time required to  
6 implement administrative rules. The purpose of this Act is to  
7 allow the department of Hawaiian home lands after beneficiary  
8 consultation is conducted as provided for in administrative  
9 rules and upon approval by the Hawaiian homes commission to  
10 issue interim rules which shall be exempt from public notice,  
11 public hearing, and gubernatorial approval requirements of  
12 Chapter 91, Hawaii Revised Statutes as long as the interim rules  
13 shall be effective for not more than eighteen months. This  
14 would allow for interim rules to take effect and in the meantime  
15 the department can go through the rule making process pursuant  
16 to Chapter 91 to adopt permanent rules.



\_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

Department of Hawaiian Home Lands; Interim rules

**Description:**

Allows the Department of Hawaiian Home Lands after beneficiary consultation is conducted and upon approval by the Hawaiian Homes Commission to issue interim rules that shall be exempt from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes. The interim rules shall be effective for not more than eighteen months.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO INTERIM ADMINISTRATIVE RULES OF THE DEPARTMENT OF HAWAIIAN HOME LANDS.

PURPOSE: To allow the Department of Hawaiian Home Lands after beneficiary consultation is conducted and upon approval by the Hawaiian Homes Commission to issue interim rules that shall be exempt from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes (HRS). The interim rules shall not be effective for more than eighteen months.

MEANS: Add a new section to chapter 91, HRS.

JUSTIFICATION: The Department of Hawaiian Home Lands is currently authorized to adopt rules in accordance with chapter 91, HRS, which can be a lengthy process given that the Department conducts beneficiary consultation pursuant to its administrative rules prior to initiating the rule making process. This new section will enable the Department to move quickly in issuing interim rules after beneficiary consultation is conducted and upon approval by the Hawaiian Homes Commission on important programs and services. The eighteen-month limitation on the life of the interim rules will ensure that the Department has adequate time to adopt permanent rules through formal rulemaking procedures.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by allowing the Department to issue interim rules on important programs and services that can be implemented soon after beneficiary consultation is conducted and

upon approval by the Hawaiian Homes Commission.

Impact on the department and other agencies:  
Interim rules will allow the Department to better serve its beneficiaries.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.



\_\_\_\_.B. NO.\_\_\_\_

1 home lands to enforce the Hawaiian Homes Commission Act, 1920,  
2 as amended and rules adopted thereunder, as well as all other  
3 state laws and rules, and county ordinances on Hawaiian home  
4 lands and shall employ or appoint, and remove, the following  
5 persons, subject to chapter 76 and section 78-1, who shall be  
6 provided with suitable badges or insignia of office by the  
7 department of Hawaiian home lands:

- 8 (1) An enforcement chief of the department of Hawaiian  
9 home lands, who shall be the head of the compliance  
10 and enforcement program and shall have charge,  
11 direction, and control, subject to the direction and  
12 control of the chairman of the Hawaiian homes  
13 commission, of all matters relating to the enforcement  
14 of the Hawaiian Homes Commission Act, 1920, as amended  
15 and rules adopted thereunder as well as all other  
16 state laws and rules, and county ordinances on  
17 Hawaiian home lands and such other matters as the  
18 chairman of the Hawaiian homes commission may from  
19 time to time direct. The enforcement chief shall be  
20 an administrator experienced in law enforcement and  
21 management; and

\_\_\_\_.B. NO.\_\_\_\_

1           (2) Personnel and enforcement officers of the compliance  
2           and enforcement program on Hawaiian home lands,  
3           including but not limited to enforcement officers on a  
4           voluntary basis and without pay.

5           §   -2   **Compliance and enforcement program on Hawaiian**

6 **home lands special fund; established.** (a) There is hereby  
7 established in the state treasury a special fund known as the  
8 compliance and enforcement program on Hawaiian home lands  
9 special fund, which shall be administered by the department of  
10 Hawaiian home lands.

11           (b) The following shall be deposited into the compliance  
12 and enforcement program on Hawaiian home lands special fund:

13           (1) Grants, awards, donations, gifts, transfers or moneys  
14           derived from public or private sources for the  
15           purposes of enforcing the provisions of the Hawaiian  
16           Homes Commission Act, 1920, as amended or any rule  
17           adopted thereunder as well as all other state laws and  
18           rules, and county ordinances on Hawaiian home lands;

19           (2) Fees, reimbursements, administrative charges, and  
20           penalties collected for activities related to the  
21           enforcement of the Hawaiian Homes Commission Act,  
22           1920, as amended and rules, except as otherwise

\_\_\_\_.B. NO.\_\_\_\_

1 provided by law that provides for deposits into other  
2 special funds administered by the department of  
3 Hawaiian home lands;

4 (3) Moneys derived from interest, dividends, or other  
5 income from the above-mentioned sources; and

6 (4) Appropriations by the legislature to the special fund.

7 (c) The compliance and enforcement program on Hawaiian  
8 home lands special fund shall be used for expenditures,  
9 including but not limited to:

10 (1) Training;

11 (2) Research;

12 (3) Equipment;

13 (4) Preparation and dissemination of information to the  
14 public;

15 (5) Data collection and development;

16 (6) Information technology;

17 (7) Safety;

18 (8) Wireless communication;

19 (9) Management;

20 (10) Travel;

21 (11) Equipment rental;

22 (12) Repairs;

**.B. NO.**           

- 1           (13) Planning;
- 2           (14) Information;
- 3           (15) Education;
- 4           (16) Operations;
- 5           (17) Maintenance functions authorized and deemed necessary
- 6 by the department of Hawaiian home lands;
- 7           (18) Funding for consultants or contractual hires related
- 8 to the enforcement of:
  - 9                 (A) The Hawaiian Homes Commission Act, 1920, as
  - 10 amended;
  - 11                 (B) Any rule adopted thereunder; and
- 12           (19) Work performed in cooperation with enforcement
- 13 authorities of the State, the counties, and the federal
- 14 government.
- 15           (d) The fund shall be held separate and apart from all
- 16 other moneys, funds, and accounts in the department of Hawaiian
- 17 home lands, except that any monies received from the federal
- 18 government or from private contributions shall be deposited and
- 19 accounted for in accordance with conditions established by the
- 20 department of Hawaiian home lands or persons from whom the
- 21 moneys are received. Any balance remaining in the fund at the

1 end of any fiscal year shall be carried forward in the fund for  
2 the next fiscal year.

3       §   -3   **Compliance and enforcement program on Hawaiian**  
4 **home lands enforcement officers; other law enforcement officers.**

5 (a) The compliance and enforcement program on Hawaiian home  
6 lands enforcement officers, with respect to all Hawaiian home  
7 lands shall:

8       (1) Enforce the Hawaiian Homes Commission Act, 1920, as  
9       amended and rules adopted thereunder;

10       (2) Investigate complaints, gather evidence, conduct  
11       investigations, and conduct field observations and  
12       inspections as required or assigned;

13       (3) Cooperate with enforcement authorities of the State,  
14       counties, and federal government in development of  
15       programs and mutual aid agreements for compliance and  
16       enforcement activities on Hawaiian home lands;

17       (4) Cooperate with established search and rescue agencies  
18       of the counties and the federal government in  
19       developing plans and programs and mutual aid  
20       agreements for search and rescue activities on  
21       Hawaiian home lands;

\_\_\_\_.B. NO.\_\_\_\_

1 (5) Check and verify all homestead leases, general leases,  
2 permits, and licenses and all other land dispositions  
3 issued by the department of Hawaiian home lands;

4 (6) Enforce the laws relating to firearms, ammunition, and  
5 dangerous weapons contained in chapter 134; and

6 (7) Carry out other duties and responsibilities as the  
7 department of Hawaiian home lands from time to time  
8 may direct.

9 (b) Every state and county officer charged with the  
10 enforcement of laws and ordinances shall enforce and assist in  
11 the enforcement of the Hawaiian Homes Commission Act, 1920, as  
12 amended and rules adopted thereunder.

13 **§ -4 Department of Hawaiian home lands; police powers.**

14 (a) The department of Hawaiian home lands shall have police  
15 powers and may appoint and commission enforcement officers  
16 within the compliance and enforcement program on Hawaiian home  
17 lands. Persons appointed and commissioned under this section  
18 shall have and may exercise all of the powers and authority of a  
19 police officer, including the power of arrest, and in addition  
20 to enforcing the Hawaiian Homes Commission Act, 1920, as amended  
21 and rules adopted thereunder, may enforce all other state laws  
22 and rules, and county ordinances on Hawaiian home lands;

\_\_\_\_.B. NO.\_\_\_\_

1 provided that such powers shall remain in force and effect only  
2 while in actual performance of their duties, which shall include  
3 off-duty employment when such employment is for other state  
4 departments or agencies. These enforcement officers shall  
5 consist of personnel whose primary duty will be the enforcement  
6 of the Hawaiian Homes Commission Act, 1920, as amended and the  
7 rules adopted thereunder on Hawaiian home lands.

8 (b) An enforcement officer, upon arresting any person for  
9 violation of the Hawaiian Homes Commission Act, 1920, as amended  
10 or any rule thereunder, may immediately take the person arrested  
11 to a police station or before a district judge, or take the name  
12 and address of the person and note the violation of the law or  
13 rule by the person, and issue the person a summons or citation,  
14 printed in the form described in section -5, warning the  
15 person to appear and to answer the charge against the person at  
16 a certain place and time within seven days after the arrest.  
17 Any person failing to obey a summons issued pursuant to this  
18 section shall be subject to section -6.

19 § -5 **Summons or citation.** There shall be a form of  
20 summons or citation for use in citing violators of the Hawaiian  
21 Homes Commission Act, 1920, as amended and rules adopted  
22 thereunder, which do not mandate the physical arrest of the

\_\_\_\_.B. NO.\_\_\_\_

1 violators. The summons or citation shall be printed in a form  
2 commensurate with the form of other summons or citation used in  
3 modern methods of arrest and shall be so designed to include all  
4 necessary information to make it valid and legal within the laws  
5 and rules of the State. The form and content of the summons or  
6 citation shall be adopted or prescribed by the district courts.

7 In every case where a summons or citation is issued, the  
8 original of the same shall be given to the violator; provided  
9 that the district courts may prescribe the issuance to the  
10 violator of a carbon copy of the summons or citation and provide  
11 for the disposition of the original and any other copies. Every  
12 summons or citation shall be consecutively numbered and each  
13 carbon copy shall bear the number of its respective original.

14 § -6 **Failure to obey a summons.** Any person who fails  
15 to appear at the place and within the time specified in the  
16 summons or citation issued by the officers or their agents or  
17 subordinates, upon that person's arrest for violation of the  
18 Hawaiian Homes Commission Act, 1920, as amended and rules  
19 adopted thereunder, shall be guilty of a petty misdemeanor and,  
20 upon conviction, shall be fined not more than \$500 or be  
21 imprisoned not more than thirty days, or both.

\_\_\_\_.B. NO.\_\_\_\_

1           If any person fails to comply with a summons or citation  
2 issued, or if any person fails or refused to deposit bail as  
3 required and within the time permitted, the officers shall cause  
4 a complaint to be entered against the person and secure the  
5 issuance of a warrant for the person's arrest.

6           When a complaint is made to any prosecuting officer of the  
7 violation of the Hawaiian Homes Commission Act, 1920, as amended  
8 and rules adopted thereunder, the officer who issued the summons  
9 or citation shall subscribe to it under oath administered by  
10 another official or officials of the department of Hawaiian home  
11 lands whose names have been submitted to the prosecuting officer  
12 and who have been designated by the chairman of the Hawaiian  
13 homes commission to administer the same.

14           §   -7   **Search and seizure; forfeiture of property.** (a)  
15 Any police officer or agent of the department of Hawaiian home  
16 lands that has been conferred powers of police officers, shall  
17 have the authority to conduct searches on probable cause as  
18 provided by law and to seize any equipment, article, instrument,  
19 aircraft, vehicle, vessel, or business records used or taken in  
20 violation of the provisions contained in the Hawaiian Homes  
21 Commission Act, 1920, as amended and rules adopted thereunder.

\_\_\_\_.B. NO.\_\_\_\_

1           (b) Any equipment, article, instrument, aircraft, vehicle,  
2 vessel or business records seized is subject to forfeiture  
3 pursuant to chapter 712A. Unless otherwise directed by the  
4 environmental court pursuant to chapter 712A, any item, other  
5 than a natural resource, seized shall be ordered forfeited to  
6 the State for disposition as determined by the department of  
7 Hawaiian home lands, or may be destroyed, or may be kept and  
8 retained and utilized by the department or any other state  
9 agency. If not needed or required by the department of Hawaiian  
10 home lands or other state agency, the forfeited items shall be  
11 disposed of as provided by chapter 712A.

12           (c) The department of Hawaiian home lands shall compile a  
13 list of all equipment, articles, instruments, aircraft,  
14 vehicles, or vessels forfeited as provided in this section and  
15 shall public the list in its annual report.

16           § -8 **Alternative dispute resolution.** Any violation of  
17 the Hawaiian Homes Commission Act, 1920, as amended and rules  
18 adopted thereunder may allow for alternative dispute resolution  
19 such as mediation, arbitration, or a culturally appropriate  
20 mechanism for dispute resolution to be deployed.

\_\_\_\_.B. NO.\_\_\_\_

1           §   -9   **Rules.**   The department of Hawaiian home lands may  
2 promulgate rules and regulations, pursuant to chapter 91,  
3 necessary for administration of this chapter."

4           SECTION 3.   This Act shall take effect upon its approval.

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6

INTRODUCED BY: \_\_\_\_\_

7

BY REQUEST

\_\_\_\_.B. NO.\_\_\_\_

**Report Title:**

Compliance and Enforcement; Hawaiian Home Lands

**Description:**

Establishes a compliance and enforcement program within the department of Hawaiian home lands to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with the Hawaiian Homes Commission Act, 1920, as amended and rules adopted thereunder as well as all other state laws and rules, and county ordinances 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.*

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO COMPLIANCE AND ENFORCEMENT ON HAWAIIAN HOME LANDS.

PURPOSE: Establishes a compliance and enforcement program within the Department of Hawaiian Home Lands to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with the Hawaiian Homes Commission Act, 1920, as amended and rules adopted thereunder as well as all other state laws and rules, and county ordinances on Hawaiian home lands.

MEANS: Adds a new chapter to the Hawaii Revised Statutes.

JUSTIFICATION: Criminal activity that is threatening the health and safety of the community must be addressed.

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

Impact on the department and other agencies: Additional resources will be needed to implement this program.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 625.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.

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# A BILL FOR AN ACT

RELATING TO ADOPTION.

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

1           SECTION 1. The legislature finds that the effect of  
2 adoption as provided for under state law impacts the ability for  
3 an adopted individual or the individual's natural family to  
4 succeed to a homestead lease or application on the department of  
5 Hawaiian home lands applicant waiting list. The purpose of this  
6 Act is to allow an adopted individual to benefit both by  
7 relationship through a natural parent and through an adoptive  
8 parent while also allowing the adopted individual and member of  
9 the individual's natural family to continue to have the same  
10 familial relationship. This Act does not affect the other  
11 requirements under the Hawaiian Homes Commission Act, 1920, as  
12 amended, or administrative rules beyond recognition of  
13 relationship between individuals.

14           SECTION 2. Section 578-16, Hawaii Revised Statutes, is  
15 amended to read as follows:

16           "**§578-16 Effect of adoption.** (a) A legally adopted  
17 individual shall be considered to be a natural child of the

.B. NO.          

1 whole blood of the adopting parent or parents as provided in the  
2 Uniform Probate Code, relating to the descent of property.

3         (b) The former legal parent or parents of an adopted  
4 individual and any other former legal kindred shall not be  
5 considered to be related to the individual as provided in the  
6 Uniform Probate Code except as provided in this section.

7         (c) An adopted individual and the individual's adopting  
8 parent or parents shall sustain towards each other the legal  
9 relationship of parents and child and shall have all the rights  
10 and be subject to all the duties of that relationship, including  
11 the rights of inheritance from and through each other and the  
12 legal kindred of the adoptive parent or parents, the same as if  
13 the individual were the natural child of the adopting parent or  
14 parents.

15         (d) Except as provided in subsection (e), all legal duties  
16 and rights between the individual and the individual's former  
17 legal parent or parents shall cease from the time of the  
18 adoption; provided that, if the individual is adopted by a  
19 person married to a legal parent of the individual, the full  
20 reciprocal rights and duties [~~which~~] that theretofore existed  
21 between the legal parent and the individual, and the rights of  
22 inheritance as between the individual and the legal parent and

\_\_\_\_.B. NO.\_\_\_\_

1 the legal relatives of the parent, as provided in chapter 560,  
2 shall continue, notwithstanding the adoption, subject only to  
3 the rights acquired by and the duties imposed upon the adoptive  
4 parents by reason of the adoption.

5 (e) Notwithstanding subsections (b) and (d), if an  
6 individual is adopted before that individual attains the age of  
7 majority and:

8 (1) The individual is adopted by a spouse of a natural  
9 parent of the individual; or

10 (2) The individual is adopted by a natural grandparent,  
11 aunt, uncle, or sibling of the individual or the  
12 spouse of a natural grandparent, aunt, uncle, or  
13 sibling;

14 then for the purposes of interpretation or construction of a  
15 disposition in any will, trust, or other lifetime instrument,  
16 whether executed before or after the order of adoption, and for  
17 purposes of determining heirs at law, the rights of the adopted  
18 individual and the individual's descendants with respect to the  
19 individual's natural family shall not be affected by the  
20 adoption, and they shall be included in any determination of  
21 heirs or members of any class, unless specifically excluded by  
22 name or class.

.B. NO.      

1           (f) An adopted individual, who by reason of subsection (e)  
2 would be a member of two or more designation or classes pursuant  
3 to a single instrument, both by relationship through a natural  
4 parent and through an adoptive parent, shall be entitled to  
5 benefit by membership in only one of these designations or  
6 classes, which shall be the larger share.

7           (g) An adopted person should be considered as a child of  
8 both the adopted and natural parents for the sole purpose of  
9 determining familial relationships under sections 208 and 209 of  
10 the Hawaiian Homes Commission Act, 1920, as amended.

11           ~~(g)~~ (h) For purposes of this section, if a person has  
12 been adopted more than once, the term "natural parent" includes  
13 an adopting parent by an earlier adoption.

14           ~~(h)~~ (i) An individual legally adopted under the laws of  
15 any state or territory of the United States or under the laws of  
16 any nation shall be accorded the same rights and benefits in all  
17 respects as an individual adopted under this chapter."

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

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

21

22

\_\_\_\_.B. NO.\_\_\_\_

1 INTRODUCED BY: \_\_\_\_\_

2 BY REQUEST

\_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

Department of Hawaiian Home Lands; Adoption

**Description:**

Allows an adopted individual to benefit both by relationship through a natural parent and through an adoptive parent in a disposition or other designation as provided for in accordance with the Hawaiian Homes Commission Act, 1920, as amended, or administrative rules. Allows the adopted individual and individual's natural family to continue having the same familial relationship.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO ADOPTION.

PURPOSE: To allow an adopted individual to benefit both by relationship through a natural parent and through an adoptive parent in a disposition or other designation provided for in accordance with the Hawaiian Homes Commission Act, 1920, as amended, or administrative rules while also allowing the adopted individual and individual's natural family to continue to have the same familial relationship.

MEANS: Amend section 578-16, Hawaii Revised Statutes.

JUSTIFICATION: The effect of adoption could impact the ability for an adoptive individual to succeed to a homestead lease or to the applicant's application rights on the waiting list. This proposal allows an adopted individual to benefit both by relationship through a natural parent and an adoptive parent while also allowing for the adopted individual and member of the individual's natural family to continue to have the same familial relationship.

Impact on the public: This bill further protects the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by allowing an adopted individual to benefit both by relationship through a natural parent and through an adoptive parent.

Impact on the department and other agencies: This bill could minimize any amendments that could have a detrimental impact to the general public while addressing the nuances specific to the department.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 625.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

\_\_\_B. NO. \_\_\_

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# A BILL FOR AN ACT

RELATING TO AFFORDABLE HOUSING ON HAWAIIAN HOME LANDS.

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

1           SECTION 1. Act 141, Session Laws of Hawaii 2009, as  
2 amended by section 3 of Act 102, Session Laws of Hawaii 2015, as  
3 amended by section 1 of Act 80, Session Laws of Hawaii 2019, is  
4 amended by amending section 3 to read as follows:

5           "SECTION 3. This Act shall take effect on July 1, 2009[~~7~~  
6 ~~provided that on July 1, 2024, this Act shall be repealed and~~  
7 ~~section 46-15.1, Hawaii Revised Statutes, shall be reenacted in~~  
8 ~~the form in which it read on the day before the approval of this~~  
9 ~~Act]."~~

10           SECTION 2. Act 98, Session Laws of Hawaii 2012, as amended  
11 by section 4 of Act 102, Session Laws of Hawaii 2015, as amended  
12 by section 50 of Act 55, Session Laws of Hawaii 2016, as amended  
13 by section 2 of Act 80, Session Laws of Hawaii 2019, is amended  
14 by amending section 3 to read as follows:

15           "SECTION 3. This Act shall take effect upon its approval[~~7~~  
16 ~~and shall be repealed on July 1, 2024; provided that section 46-~~  
17 ~~15.1, Hawaii Revised Statutes, shall be reenacted pursuant to~~

\_\_\_\_.B. NO.\_\_\_\_

1 ~~section 3 of Act 141, Session Laws of Hawaii 2009, and section~~  
2 ~~23 of Act 96, Session Laws of Hawaii 2014]."~~

3 SECTION 3. Statutory material to be repealed is bracketed  
4 and stricken.

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

6

7

INTRODUCED BY: \_\_\_\_\_

8

BY REQUEST

# \_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

Hawaiian Home Lands; Affordable Housing Credits

**Description:**

Makes permanent Act 141, Sessions Laws of Hawaii 2009, which requires the county to issue affordable housing credits to the Department of Hawaiian Home Lands. Makes permanent Act 98, Session Laws of Hawaii 2012, which requires the counties to issue affordable housing credits for each residential unit developed by the Department of 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.*

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING ON HAWAIIAN HOME LANDS.

PURPOSE: Repeals the July 1, 2024, sunset of Act 141, Session Laws of Hawaii 2009, and the July 1, 2024, sunset of Act 98, Session Laws of Hawaii 2012, to make the affordable housing credit program permanent.

MEANS: Amend section 3 of Act 141, Session Laws of Hawaii 2009, as amended by section 3 of Act 102, Session Laws of Hawaii 2015, as amended by section 1 of Act 80, Session Laws of Hawaii 2019, and amend section 3 of Act 98, Session Laws of Hawaii 2012, as amended by section 4 of Act 102, Session Laws of Hawaii 2015, as amended by section 50 of Act 55, Session Laws of Hawaii 2016, and section 2 of Act 80, Session Laws of Hawaii 2019.

JUSTIFICATION: Making permanent the affordable housing credit program will allow the Department of Hawaiian Home Lands ("DHHL") to continue to provide incentive to private sector developers to build affordable homes on Hawaiian home lands. Since Act 141 was enacted in 2009, DHHL has worked with each county to request and acquire affordable housing credits for completed units in homestead communities. This program has resulted in successful private-public partnerships through the exchange of credits creating resources for DHHL to further develop homestead lots.

Impact on the public: There is a positive impact on the public as this proposal helps ensure that DHHL will have resources for programs for native Hawaiian lessees and applicants, including the development of

homestead lots, loans, and other rehabilitation programs.

Impact on the department and other agencies:

This proposal allows DHHL to continue to access needed resources to support its programs without requiring any general funds.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 602.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.

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# A BILL FOR AN ACT

RELATING TO SCHOOL IMPACT FEES.

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

1 SECTION 1. Act 197, Session Laws of Hawaii 2021, is  
2 amended by amending section 6 to read as follows:

3 "SECTION 6. This Act shall take effect upon its approval[~~+~~  
4 ~~provided that on July 1, 2024, section 1 of this Act shall be~~  
5 ~~repealed and section 302A-1603(b), Hawaii Revised Statutes,~~  
6 ~~shall be reenacted in the form in which it read on the day prior~~  
7 ~~to the effective date of this Act]."~~

8 SECTION 2. Statutory material to be repealed is bracketed  
9 and stricken.

10 SECTION 3. This Act shall take effect upon its approval.

11

12

INTRODUCED BY: \_\_\_\_\_

13

BY REQUEST

\_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

School Impact Fees; Housing; Department of Hawaiian Home Lands

**Description:**

Makes permanent Act 197, Session Laws of Hawaii 2021, which excludes housing developed by the Department of Hawaiian Home Lands from school impact fees.

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

REVISED: September 9, 2022  
1ST DRAFT DATE: August 29, 2022

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES.

PURPOSE: Repeals the July 1, 2024, sunset date of Act 197, Session Laws of Hawaii 2021, to make permanent the exemption of housing developed by the Department of Hawaiian Home Lands from school impact fees.

MEANS: Amend section 6 of Act 197, Session Laws of Hawaii 2021.

JUSTIFICATION: Making permanent the exemption of housing developed by the Department of Hawaiian Home Lands from school impact fees because the Department of Hawaiian Home Lands provides affordable housing that often account for the educational facilities that may be needed to support the community by designating land for community use, which includes facilities such as schools. Across the State in different communities, lands have been set aside for different learning facilities.

Impact on the public: This bill will protect the interests of beneficiaries of the Hawaiian Homes Commission Act by making permanent the exclusion of housing developed by the Department of Hawaiian Home Lands from school impact fees.

Impact on the department and other agencies: By exempting any housing developed by the Department of Hawaiian Home Lands from school impact fee requirements, that savings can be allocated toward developing more housing.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: HHL 602.

OTHER AFFECTED  
AGENCIES: Department of Education; School Facilities  
Authority

EFFECTIVE DATE: Upon approval.

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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.

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

1           SECTION 1. The legislature finds that Act 279, Session  
2 Laws of Hawaii 2022 appropriated out of the general revenues of  
3 the State of Hawaii the sum of \$600,000,000 or so much thereof  
4 as may be necessary for fiscal year 2021-2022 to provide a  
5 multi-pronged approach to reducing the over 28,000 applicants on  
6 the department of Hawaiian home lands waitlist.

7           The legislature further finds that Act 279, Session Laws of  
8 Hawaii 2022 stipulated that any moneys not encumbered for  
9 specific purposes shall lapse to the general fund on June 30,  
10 2025. Article VII, Section 11 of the State Constitution  
11 provides that no appropriation shall be for a period exceeding  
12 three years. This provision has been interpreted to permit the  
13 expenditure of biennial appropriations one year beyond the  
14 biennial period, so no later than June 30, 2024 for the fiscal  
15 biennium 2021-2023. Accordingly, the purpose of this Act is to  
16 allow for the expenditure of these funds until June 30, 2025, as  
17 provided for by the legislature in Act 279, Session Laws of  
18 Hawaii 2022.



\_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

DHHL; Appropriation

**Description:**

Confirms the intention of the legislature that funds appropriated in Act 279, Session Laws of Hawaii 2022 be available for expenditure until June 30, 2025.

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JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.

PURPOSE: Allow for the expenditure of funds appropriated in Act 279, Session Laws of Hawaii 2022 until June 30, 2025.

MEANS: Amend Act 279, Session Laws of Hawaii 2022.

JUSTIFICATION: The legislature intended that funds appropriated in Act 279, Session Laws of Hawaii 2022 be available for expenditure until June 30, 2025. This confirms the legislative intent.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act by allowing for expenditure of funds appropriated in Act 279, Session Laws of Hawaii 2022 until June 30, 2025.

Impact on the department and other agencies: This revision will allow the department to expend funds by June 30, 2025 as intended by the legislature instead of the year prior or June 30, 2024.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HHL 602.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.