

___B. NO. ___

A BILL FOR AN ACT

RELATING TO COMPLIANCE ON HAWAIIAN HOME LANDS.

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

1 SECTION 1. The legislature finds that illegal activity
2 occurring on Hawaiian home lands threatens the health and safety
3 of the community. The purpose of this Act is to establish a
4 compliance and enforcement program within the department of
5 Hawaiian home lands to investigate complaints, conduct
6 investigations, and cooperate with enforcement authorities to
7 ensure compliance with state law, including the Hawaiian Homes
8 Commission Act, 1920, as amended, and the rules adopted
9 thereunder, as well as all other state laws and rules and county
10 ordinances on Hawaiian home lands.

11 SECTION 2. The Hawaii Revised Statutes is amended by
12 adding a new chapter to be appropriately designated and to read
13 as follows:

14 "CHAPTER

15 COMPLIANCE ON HAWAIIAN HOME LANDS

16 § -1 Compliance and enforcement program on Hawaiian home
17 lands; established. The department of Hawaiian home lands shall
18 establish a compliance and enforcement program on Hawaiian home

1 lands to enforce state laws and rules, and county ordinances on
2 Hawaiian home lands and shall employ or appoint, and remove, the
3 following persons, subject to chapter 76 and section 78-1,
4 Hawaii Revised Statutes, who shall be provided with suitable
5 badges or insignia of office by the department of Hawaiian home
6 lands:

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

21 (2) Personnel and enforcement officers of the compliance
22 and enforcement program on Hawaiian home lands,
23 including but not limited to enforcement officers on a
24 voluntary basis and without pay.

1 § -2 **Compliance and enforcement program on Hawaiian home**
2 **lands enforcement officers.** (a) The compliance and enforcement
3 program on Hawaiian home lands enforcement officers, with
4 respect to all Hawaiian home lands shall:

- 5 (1) Investigate complaints, gather evidence, conduct
6 investigations, and conduct field observations and
7 inspections as required or assigned;
- 8 (2) Cooperate with enforcement authorities of the State,
9 counties, and federal government in development of
10 programs and mutual aid agreements for compliance and
11 enforcement activities on Hawaiian home lands;
- 12 (3) Cooperate with established search and rescue agencies
13 of the counties and the federal government in
14 developing plans and programs and mutual aid
15 agreements for search and rescue activities on
16 Hawaiian home lands;
- 17 (4) Check and verify all homestead leases, general leases,
18 permits, and licenses and all other land dispositions
19 issued by the department of Hawaiian home lands;
- 20 (5) Enforce the laws relating to firearms, ammunition, and
21 dangerous weapons contained in chapter 134; and
- 22 (6) Carry out other duties and responsibilities as the
23 department of Hawaiian home lands from time to time
24 may direct.

1 **§ -3 Department of Hawaiian home lands; police powers.**

2 (a) The Hawaiian homes commission shall have police powers.

3 The chair of the Hawaiian homes commission may appoint and
4 commission enforcement officers within the compliance and
5 enforcement program on Hawaiian home lands. Persons appointed
6 and commissioned under this section shall have and may exercise
7 all of the powers and authority of a police officer, including
8 the power of arrest, and may enforce all state laws and rules,
9 and county ordinances on Hawaiian home lands; provided that such
10 powers shall remain in force and effect only while in actual
11 performance of their duties, which shall include off-duty
12 employment when such employment is for other state departments
13 or agencies. These enforcement officers shall consist of
14 personnel whose primary duty will be the enforcement of state
15 and local laws on Hawaiian home lands and to carry out work
16 related to compliance with Hawaiian home lands leases and
17 permits, and other requirements.

18 **§ D Rules.** The department of Hawaiian home lands may
19 promulgate rules and regulations, pursuant to chapter 91,
20 necessary for administration of this chapter."

21 SECTION 3. There is appropriated out of the general
22 revenues of the State of Hawaii the sum of \$500,000 or so much
23 thereof as may be necessary for fiscal year 2024-2025 for the
24 compliance and enforcement program on Hawaiian home lands.

1 The sums appropriated shall be expended by the department
2 of Hawaiian home lands for the purposes of this Act.

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

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INTRODUCED BY: _____

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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 all 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.