
A BILL FOR AN ACT

RELATING TO DEPARTMENT OF HAWAIIAN HOME LANDS.

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

1 SECTION 1. Section 205, Hawaiian Homes Commission Act, is
2 amended to read as follows:

3 "§205. **Sale or lease, limitations on.** (a) Available
4 lands shall be sold or leased only:

5 (1) In the manner and for the purposes set out in this
6 title; or

7 (2) As may be necessary to complete any valid agreement of
8 sale or lease in effect at the time of the passage of
9 this Act;

10 except that such limitations shall not apply to the unselected
11 portions of lands from which the department has made a selection
12 and given notice thereof, or failed so to select and give notice
13 within the time limit, as provided in paragraph (3) of section
14 204 of this title.

15 (b) Any commercial or industrial lease of available lands,
16 except to a native Hawaiian or Hawaiians or an organization
17 wholly owned and controlled by native Hawaiians, shall be leased
18 at a lease rent to provide the department a fair return on the



1 appraised fair market value of the lands subject to the
2 commercial or industrial lease."

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun, before its effective date.

6 SECTION 3. The provisions of the amendments made by this
7 Act to the Hawaiian Homes Commission Act, 1920, as amended, are
8 declared to be severable, and if any section, sentence, clause,
9 or phrase, or the application thereof to any person or
10 circumstances is held ineffective because there is a requirement
11 of having the consent of the United States to take effect, then
12 that portion only shall take effect upon the granting of consent
13 by the United States and effectiveness of the remainder of these
14 amendments or the application thereof shall not be affected.

15 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY: Mele Canale

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Maxine J. Mays Joe Chung
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[Signature] [Signature]



Report Title:

Department of Hawaiian Home Lands; Commercial Leases

Description:

Requires any commercial lease to non-native Hawaiian to be leased at fair market value.

