
HOUSE RESOLUTION

URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ADOPT AND IMPLEMENT NEW ADMINISTRATIVE RULES TO PROHIBIT A BENEFICIARY FROM APPLYING FOR A HAWAIIAN HOME LANDS LEASE IF THE PERSON ALREADY RECEIVED A LEASE AWARD AND SOLD, UNLESS THERE ARE COMPELLING OR PERSUASIVE REASONS FOR SELLING THE LEASE.

1 WHEREAS, the Hawaiian Homes Commission Act of 1920 was
2 signed into law by Congress for the purpose of rehabilitation of
3 native Hawaiians through land stewardship and setting aside
4 approximately two hundred thousand acres of land; and
5

6 WHEREAS, the Department of Hawaiian Home Lands was created
7 upon statehood to execute the Hawaiian Homes Commission Act of
8 1920, as amended, with a mission to manage the Hawaiian home
9 lands trust effectively and to develop and deliver lands to
10 native Hawaiians; and
11

12 WHEREAS, native Hawaiians may apply for up to two separate
13 leases including residential, agricultural, or pastoral; and
14

15 WHEREAS, while there are nine thousand five hundred native
16 Hawaiians holding Department of Hawaiian Home Land leases, more
17 than twenty-four thousand native Hawaiian applicants are
18 awaiting a lease award; and
19

20 WHEREAS, there are approximately thirty-five thousand more
21 native Hawaiians who are eligible for a Department of Hawaiian
22 Home Lands lease; and
23

24 WHEREAS, the administrative rules adopted by the Department
25 of Hawaiian Home Lands do not prohibit lessees from selling
26 their leases, so long as the buyer of the lease is at least
27 fifty per cent native Hawaiian; and
28

29 WHEREAS, this practice essentially enables the purchaser to
30 automatically move to the top of the waiting list, skipping over
31 hundreds or thousands of other applicants on the list; and



1
2 WHEREAS, a lessee who decides to sell their lease has
3 chosen their avenue of "rehabilitation"; and
4

5 WHEREAS, given the scope of eligible beneficiaries still
6 waiting for a lease award, it is reasonable for the Department
7 of Hawaiian Home Lands to adopt and implement administrative
8 rules prohibiting beneficiaries from applying for similar leases
9 if the beneficiary has already received a lease award and
10 subsequently sold the lease; now, therefore,
11

12 BE IT RESOLVED by the House of Representatives of the
13 Twenty-fifth Legislature of the State of Hawaii, Regular Session
14 of 2010, that this body urges the Department of Hawaiian Home
15 Lands to adopt and implement administrative rules to prohibit a
16 beneficiary from applying for a lease if the beneficiary has
17 already received a lease award and subsequently sold the lease,
18 unless there are compelling reasons for selling the lease; and
19

20 BE IT FURTHER RESOLVED that certified copies of this
21 Resolution be transmitted to the Chairperson and members of the
22 Hawaiian Homes Commission.
23
24
25

OFFERED BY: Mel Carroll
[Signature]
[Signature]

[Signature]
[Signature]
[Signature]

