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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. Act 178, Session Laws of Hawaii 2006, is  
2 amended by adding a new section to read as follows:

3           "SECTION 7A. In addition to the purpose for which this Act  
4 was passed in 2006, to provide a portion of the income and  
5 proceeds from the public land trust to the office of Hawaiian  
6 affairs to expend for the betterment of the conditions of native  
7 Hawaiians, section 5(f) of the Admission Act lays out four other  
8 purposes for the public land trust lands and their income and  
9 proceeds to be held and used: "[F]or the support of the public  
10 schools and other public educational institutions, . . . for the  
11 development of farm and home ownership on as widespread a basis  
12 as possible for the making of public improvements, and for the  
13 provision of lands for public use." Section 5(f) also expressly  
14 provides: "Such land, proceeds, and income shall be managed and  
15 disposed of for one or more of the foregoing purposes in such  
16 manner as the constitution and laws of said State may provide..."

17           Consistent with section 5(f)'s stated purposes that among  
18 others, the public land trust lands and its income and proceeds



1 be used to develop farm and home ownership, beginning in fiscal  
2 year 2011-2012, in addition to the sums that are required to be  
3 transferred to the office of Hawaiian affairs under section 3 of  
4 this Act, the departments and agencies described in section 3 of  
5 this Act shall determine and transfer to the department of  
6 Hawaiian home lands five per cent of the receipts from the use  
7 of lands within the public land trust they collect during each  
8 fiscal quarter within thirty days of the close of each fiscal  
9 quarter, by the same procedures used to make the transfers to  
10 the office of Hawaiian affairs under section 3 of this Act;  
11 provided that the transfer is not prohibited by federal law.  
12 The governor is expressly authorized to fix the amount each  
13 agency shall transfer to the department of Hawaiian home lands  
14 in each quarter by the same executive order that is used to make  
15 the transfers to the office of Hawaiian affairs required under  
16 section 3 of this Act.

17 The department of Hawaiian home lands shall use the sums  
18 transferred for the development of farm and home ownership on as  
19 widespread a basis as possible, consistent with the provisions  
20 of the Hawaiian Homes Commission Act, 1920, as amended.



1        As used in this Act, the "public land trust" means those  
2        lands to which title has or may be transferred to the State  
3        under section 5 of the Admission Act."

4        SECTION 2.    New statutory material is underscored.

5        SECTION 3.    This Act shall take effect on July 1, 2011.



**Report Title:**

Department of Hawaiian Home Lands; Public Land Trust Revenues

**Description:**

Provides that 5% of funds derived from the public land trust shall be expended by the Department of Hawaiian Home Lands for development of farm and home ownership. (HB222 HD1)

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