
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. Section 26-17, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§26-17 Department of Hawaiian home lands.** (a) The
4 department of Hawaiian home lands shall be headed by an
5 executive board to be known as the Hawaiian homes commission.

6 (b) The commission shall be composed of nine members. The
7 appointment, tenure, and removal of the members and the filling
8 of vacancies on the commission shall be in accordance with
9 section 26-34 and section 202(a) of the Hawaiian Homes
10 Commission Act of 1920, as amended. The governor shall appoint
11 the chairperson of the commission from among the members
12 thereof.

13 (c) The commission may delegate to the chairperson [~~such~~]
14 the duties, powers, and authority, or so much thereof as may be
15 lawful or proper, for the performance of the functions vested in
16 the commission.

17 (d) The chairperson of the board shall serve in a full-
18 time capacity and shall perform [~~such~~] the duties, and exercise



1 ~~[such]~~ the powers and authority, or so much thereof as may be
2 delegated to the chairperson by the board.

3 (e) The department shall administer the Hawaiian Homes
4 Commission Act of 1920 as set forth in the Constitution of the
5 State and by law.

6 ~~[The functions and authority heretofore exercised by the
7 Hawaiian homes commission as heretofore constituted are
8 transferred to the department of Hawaiian home lands established
9 by this chapter.]~~

10 (f) \$ _____ of the annual revenue from the public
11 land trust that is allocated to the State shall be appropriated
12 annually to the department.

13 (g) For purposes of this section:

14 "Public land trust" means that public land trust
15 established in section 5(f) of the Admission Act.

16 "Revenue" means all proceeds, fees, charges, rents, or
17 other income, or any portion thereof, derived from any sale,
18 lease, license, permit, or other similar proprietary
19 disposition, permitted use, or activity that is situated upon
20 and results from the actual use of lands comprising the public
21 land trust, and including any penalties or levies exacted as a
22 result of a violation of the terms of any proprietary



1 disposition, but excluding any income, proceeds, fees, charges,
2 or other moneys derived through the exercise of sovereign
3 functions and powers including:

4 (1) Taxes;

5 (2) Regulatory or licensing fees;

6 (3) Fines, penalties, or levies;

7 (4) Registration fees;

8 (5) Moneys received by any public educational institution,
9 including the University of Hawaii and the community

10 college system, from its educational programs and
11 ancillary services, such as tuition, registration

12 fees, meals, books, grants, or scholarships;

13 (6) Interagency and intra-agency administrative fees or
14 assessments;

15 (7) Moneys derived from or provided in support of penal
16 institutions and programs;

17 (8) Grants, carry-overs, and pass-throughs;

18 (9) Federal moneys, including federal-aid, grants,
19 subsidies, and contracts;

20 (10) Moneys collected from the sale or dissemination of
21 government publications; and



1 (11) Department of defense proceeds on state-improved
2 lands.

3 (h) Nothing in this section shall diminish the revenues
4 owed to the office of Hawaiian affairs pursuant to Act 178,
5 Session Laws of Hawaii 2006, or any other law providing for the
6 office of Hawaiian affairs' pro rata portion of the public land
7 trust, pursuant to article XII, section 6, of the state
8 constitution."

9 SECTION 2. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect on July 1, 2012.



Report Title:

DHHL; Public Land Trust Revenues

Description:

Requires an unspecified amount of the State's annual share of the revenues from the public land trust to be annually appropriated to DHHL. Effective July 1, 2012. (HB2300 HD1)

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