
A BILL FOR AN ACT

RELATING TO THE PUBLIC LAND TRUST.

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

1 PART I

2 SECTION 1. Section 226-18, Hawaii Revised Statutes, is
3 amended by amending subsection (c) to read as follows:

4 "(c) To further achieve the energy objectives, it shall be
5 the policy of this State to:

6 (1) Support research and development as well as promote
7 the use of renewable energy sources;

8 (2) Ensure that the combination of energy supplies and
9 energy-saving systems is sufficient to support the
10 demands of growth;

11 (3) Base decisions of least-cost supply-side and demand-
12 side energy resource options on a comparison of their
13 total costs and benefits when a least-cost is
14 determined by a reasonably comprehensive,
15 quantitative, and qualitative accounting of their
16 long-term, direct and indirect economic,
17 environmental, social, cultural, and public health
18 costs and benefits;



- 1 (4) Promote all cost-effective conservation of power and
2 fuel supplies through measures, including:
- 3 (A) Development of cost-effective demand-side
4 management programs;
- 5 (B) Education; and
- 6 (C) Adoption of energy-efficient practices and
7 technologies;
- 8 (5) Ensure, to the extent that new supply-side resources
9 are needed, that the development or expansion of
10 energy systems uses the least-cost energy supply
11 option and maximizes efficient technologies;
- 12 (6) Support research, development, demonstration, and use
13 of energy efficiency, load management, and other
14 demand-side management programs, practices, and
15 technologies;
- 16 (7) Promote alternate fuels and transportation energy
17 efficiency;
- 18 (8) Support actions that reduce, avoid, or sequester
19 greenhouse gases in utility, transportation, and
20 industrial sector applications;



- 1 (9) Support actions that reduce, avoid, or sequester
2 Hawaii's greenhouse gas emissions through agriculture
3 and forestry initiatives; [~~and~~]
- 4 (10) Provide priority handling and processing for all state
5 and county permits required for renewable energy
6 projects[-];
- 7 (11) Promote the development of indigenous renewable energy
8 resources that are located on public trust land as an
9 affordable and reliable source of firm power for
10 Hawaii; and
- 11 (12) Ensure that the development of indigenous renewable
12 energy resources on public trust land directly
13 benefits native Hawaiians and the public beneficiaries
14 of the trust."

15 SECTION 2. All public land trust lands shall be held in
16 trust for a Native Hawaiian government upon the establishment of
17 such a government.

18 SECTION 3. There shall be consultation and public input
19 from the Native Hawaiian community and the general public when
20 developing projects with public land trust lands.



1 PART II

2 SECTION 4. Act 55, Session Laws of Hawaii 2011, now
3 codified as chapter 171C, Hawaii Revised Statutes, created a
4 process to use public land purporting to be for the economic,
5 environmental, and social benefit for the people of Hawaii. It
6 established the public land development corporation to be the
7 development arm of the department of land and natural resources,
8 to administer an appropriate and culturally-sensitive public
9 land development program to help develop recreational and
10 leisure centers for persons, and create revenue-generating
11 opportunities to offset regulatory functions of the department
12 of land and natural resources.

13 The legislature finds that the powers granted to the public
14 land development corporation go beyond what is necessary and may
15 threaten the commitments that the State and its people have made
16 to protect native Hawaiian traditional customary rights and the
17 natural and cultural resources that make Hawaii unique. Chapter
18 171C, Hawaii Revised Statutes, does not ensure an appropriate
19 and culturally-sensitive public land development program. The
20 legislature finds that the exemptions are overly broad, remove
21 important planning and management tools, increase the likelihood
22 of unprecedented development of the State's public and private



1 lands, including a handful of rural community strongholds where
2 native Hawaiian beliefs, values, traditions, and customs
3 continue to be honored and practiced.

4 The purpose of this part is to repeal chapter 171C, Hawaii
5 Revised Statutes, and encourage the utilization and improvement
6 of the existing system in order to use public land for the
7 economic, environmental, and social benefit for the State.

8 SECTION 5. Chapter 171C, Hawaii Revised Statutes, is
9 repealed.

10 SECTION 6. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Hawaii State Planning Act; Renewable Energy; Public Land Trust Lands; Geothermal; Public Land Development Corporation

Description:

Amends the Hawaii State Planning Act to include promoting the development of indigenous renewable energy resources that are located on public trust land as a source of firm power and ensuring that the development of energy resources on public trust land directly benefits native Hawaiians and public beneficiaries of the trust. Adds provisions that all public land trust lands shall be held in trust and transferred to a Native Hawaiian government upon the establishment of such a government, and there shall be consultation and public input from the Native Hawaiian community and general public when developing projects with public land trust lands. Repeals chapter 171C, HRS, relating to the public land development corporation. (SB2001 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

