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## A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIANS.

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

- 1           SECTION 1. (a) There is established a geothermal  
2 royalties working group within the office of Hawaiian affairs  
3 for administrative purposes. The geothermal royalties working  
4 group shall consist of the following members:
- 5           (1) The chairperson of the board of trustees of the office  
6               of Hawaiian affairs or the chairperson's designee;
- 7           (2) The chief executive officer of the office of Hawaiian  
8               affairs or the chief executive officer's designee;
- 9           (3) The chairperson of the Hawaiian homes commission or  
10               the chairperson's designee;
- 11           (4) The chairperson of the board of land and natural  
12               resources or the chairperson's designee;
- 13           (5) The attorney general or the attorney general's  
14               designee;
- 15           (6) The director of taxation or the director's designee;
- 16           (7) The director of business, economic development, and  
17               tourism or the director's designee;



1 (8) The director of public safety or the director's  
2 designee;

3 (9) A member of the Native Hawaiian community;

4 (10) A member of the Hawaii interagency council on  
5 homelessness;

6 (11) A member representing the geothermal industry; and

7 (12) Any other agency, designee, or member deemed  
8 appropriate by the chairperson of the board of  
9 trustees of the office of Hawaiian affairs.

10 (b) The working group shall investigate the feasibility of  
11 requiring companies producing geothermal energy in Hawaii to pay  
12 royalties to benefit Native Hawaiians with a blood quantum level  
13 of fifty per cent or less for programs related to homelessness,  
14 affordable housing, and incarceration. The investigation shall  
15 include but not be limited to the following:

16 (1) The amount of royalties that may be generated by  
17 geothermal production companies in Hawaii;

18 (2) The estimated amount of royalties each Native Hawaiian  
19 individual would receive from geothermal producers and  
20 the method used to determine this amount;



- 1           (3) The recommended method for the collection of royalties  
2           from geothermal producers in Hawaii and payment of  
3           these royalties to Native Hawaiians;
- 4           (4) The effects the payment of royalties would have on the  
5           Native Hawaiian population including effects on  
6           homelessness and incarceration rates of Native  
7           Hawaiians;
- 8           (5) Any legal concerns or issues that may develop as a  
9           result of establishing a geothermal royalty payment  
10          program;
- 11          (6) The department, agency, or organization that would  
12          have jurisdiction over a geothermal royalty payment  
13          program and be responsible for oversight of the  
14          program including the collection and distribution of  
15          royalties;
- 16          (7) The effect the payment of geothermal royalties would  
17          have on the State's economy;
- 18          (8) Costs involved in establishing and maintaining a  
19          geothermal royalty payment program;
- 20          (9) Expected positive benefits and negative impacts,  
21          financial or otherwise, that may be realized by the  
22          State;



1 (10) Examination of other state laws requiring payment of  
2 royalties to certain populations for the use of  
3 natural resources;

4 (11) Necessary changes to the Hawaii Revised Statutes  
5 required for the implementation of a geothermal  
6 royalty payment program; and

7 (12) Any other objective deemed necessary by the  
8 chairperson of the board of trustees of the office of  
9 Hawaiian affairs or the working group.

10 (c) Members of the working group shall serve without pay,  
11 but shall be reimbursed for their actual and necessary expenses,  
12 including travel expenses, incurred in carrying out their  
13 duties.

14 SECTION 2. The chairperson of the board of trustees of the  
15 office of Hawaiian affairs, in consultation with the working  
16 group, shall submit a report to the legislature, including  
17 findings, recommendations, and any implementing proposed  
18 legislation no later than twenty days prior to the convening of  
19 the regular session of 2015.

20 SECTION 3. No member of the geothermal royalties working  
21 group shall be made subject to chapter 84, Hawaii Revised



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1 Statutes, solely because of that member's participation as a  
2 member of the working group.

3 SECTION 4. This Act shall take effect upon its approval;  
4 provided that the working group shall cease to exist on June 1,  
5 2015.

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INTRODUCED BY:

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# H.B. NO. 2388

**Report Title:**

Native Hawaiians; Geothermal Energy; Royalties.

**Description:**

Establishes a working group within the Office of Hawaiian Affairs to investigate the feasibility of requiring companies producing geothermal energy in Hawaii to pay royalties to Native Hawaiians.

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

