
HOUSE CONCURRENT RESOLUTION

REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT ITSELF IN AN OPEN AND TRANSPARENT MANNER BY PROVIDING DOCUMENTATION OF ITS ACTIONS REGARDING LANDS RECEIVED PURSUANT TO ACT 15, SESSION LAWS OF HAWAII 2012, AND URGING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT ITS ACTIONS WITH REGARD TO THE LANDS RECEIVED IN AN OPEN AND TRANSPARENT MANNER.

1 WHEREAS, in 1978, the Constitution of the State of Hawaii
2 was amended to include sections 5 and 6 of Article XII, which
3 established the Office of Hawaiian Affairs and its Board of
4 Trustees; and

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6 WHEREAS, the 1978 constitutional amendment also added
7 section 4 to Article XII, which established that the lands
8 granted to the State of Hawaii by Section 5(b) of the Admission
9 Act and pursuant to section 7 of Article XVI of the State
10 Constitution, excluding lands defined as "available lands" by
11 Section 203 of the Hawaiian Homes Commission Act of 1920, are
12 required to be held by the State as a public trust for native
13 Hawaiians and the general public; and

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15 WHEREAS, Act 15, Session Laws of Hawaii 2012, effectively
16 and responsibly fulfilled the State's constitutional obligation
17 to give effect to the right of native Hawaiians to benefit from
18 the ceded lands trust by conveying certain public lands located
19 in Kakaako, Oahu, to the Office of Hawaiian Affairs, with
20 respect to their share, income, and proceeds from the public
21 land trust lands from November 7, 1978, to June 30, 2012; and

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23 WHEREAS, Act 15, Session Laws of Hawaii 2012, represented a
24 joint recommendation as to the policy that the Legislature
25 should adopt to satisfy the State's constitutional obligations
26 to native Hawaiians under sections 4 and 6 of Article XII of the
27 Hawaii State Constitution for the period between November 7,
28 1978, to June 30, 2012; and



1 WHEREAS, Act 15, Session Laws of Hawaii 2012, conveyed to
2 the Office of Hawaiian Affairs as grantee as of July 1, 2012,
3 the following parcels of lands with the existing improvements
4 thereon, but not including submerged land, accreted land, or any
5 land makai of the shoreline:

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7 (1) Lots 1, 2, 3, 4, 5, 6 (portion), and 9 of File Plan
8 2471 filed at the Bureau of Conveyances, State of
9 Hawaii, on February 23, 2010;

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11 (2) TMK (1) 2-1-15-61; and

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13 (3) TMK (1) 2-1-15-51; and
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15 WHEREAS, the lands transferred to the Office of Hawaiian
16 Affairs pursuant to Act 15, Session Laws of Hawaii 2012,
17 expressly remain under the jurisdiction and authority of the
18 Hawaii Community Development Authority with respect to zoning,
19 land use conditions, and all other matters over which the Hawaii
20 Community Development Authority has jurisdiction and authority
21 to act; and
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23 WHEREAS, the Office of Hawaiian Affairs has expressed an
24 interest in developing some of the lands it received pursuant to
25 Act 15, Session Laws of Hawaii 2012; now, therefore,
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27 BE IT RESOLVED by the House of Representatives of the
28 Twenty-seventh Legislature of the State of Hawaii, Regular
29 Session of 2014, the Senate concurring, that the Office of
30 Hawaiian Affairs is requested to conduct itself in an open and
31 transparent manner by providing documentation to the Legislature
32 detailing how it has utilized the parcels of land conveyed to it
33 pursuant to Act 15, Session Laws of Hawaii 2012; and
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35 BE IT FURTHER RESOLVED that the Office of Hawaiian Affairs
36 is requested to provide documentation to the Legislature
37 detailing the parties with whom it has worked with regard to its
38 plans to develop the parcels of land conveyed to it pursuant to
39 Act 15, Session Laws of Hawaii 2012; and
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41 BE IT FURTHER RESOLVED that the Office of Hawaiian Affairs
42 is urged to conduct its actions with regard to the lands
43 conveyed to it pursuant to Act 15, Session Laws of Hawaii 2012,
44 in an open and transparent manner; and



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1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Chairperson of the
3 Board of Trustees of the Office of Hawaiian Affairs and the
4 Executive Director of the Hawaii Community Development
5 Authority.

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OFFERED BY:

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