
A BILL FOR AN ACT

RELATING TO FORESTRY.

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

1 SECTION 1. Section 204.5, Hawaiian Homes Commission Act,
2 1920, as amended, is amended to read as follows:

3 "**§204.5. Additional powers.** In addition and supplemental
4 to the powers granted to the department by law, and
5 notwithstanding any law to the contrary, the department may:

6 (1) With the approval of the governor, undertake and carry
7 out the development of any Hawaiian home lands
8 available for lease under and pursuant to section 207
9 of this Act by assembling these lands in residential
10 developments and providing for the construction,
11 reconstruction, improvement, alteration, or repair of
12 public facilities therein, including, without
13 limitation, streets, storm drainage systems,
14 pedestrian ways, water facilities and systems,
15 sidewalks, street lighting, sanitary sewerage
16 facilities and systems, utility and service corridors,
17 and utility lines, where applicable, sufficient to
18 adequately service developable improvements therein,



1 sites for schools, parks, off-street parking
2 facilities, and other community facilities;
3 (2) With the approval of the governor, undertake and carry
4 out the development of available lands for homestead,
5 commercial, and multipurpose projects as provided in
6 section 220.5 of this Act, as a developer under this
7 section or in association with a developer agreement
8 entered into pursuant to this section by providing for
9 the construction, reconstruction, improvement,
10 alteration, or repair of public facilities for
11 development, including, without limitation, streets,
12 storm drainage systems, pedestrian ways, water
13 facilities and systems, sidewalks, street lighting,
14 sanitary sewerage facilities and systems, utility and
15 service corridors, and utility lines, where
16 applicable, sufficient to adequately service
17 developable improvements therein, sites for schools,
18 parks, off-street parking facilities, and other
19 community facilities;
20 (3) With the approval of the governor, designate by
21 resolution of the commission all or any portion of a



1 development or multiple developments undertaken
 2 pursuant to this section an "undertaking" under part
 3 III of chapter 39, Hawaii Revised Statutes; [~~and~~]
 4 (4) Set aside Hawaiian home lands for the forestry of koa
 5 or other native trees. The department may enter into
 6 one or more public-private partnerships to develop and
 7 implement a forestry plan for koa and other native
 8 trees. All proceeds from the sale of harvested koa or
 9 native trees shall be deposited into the Hawaiian home
 10 lands trust fund and expended by the department
 11 pursuant to section 213.6; and

12 [~~+4~~] (5) Exercise the powers granted under section 39-53,
 13 Hawaii Revised Statutes, including the power to issue
 14 revenue bonds from time to time as authorized by the
 15 legislature.

16 All provisions of part III of chapter 39, Hawaii Revised
 17 Statutes, shall apply to the department and all revenue bonds
 18 issued by the department shall be issued pursuant to the
 19 provisions of that part, except these revenue bonds shall be
 20 issued in the name of the department, and not in the name of the
 21 State.

1 As applied to the department, the term "undertaking" as
2 used in part III of chapter 39 shall include a residential
3 development or a development of homestead, commercial, or
4 multipurpose projects under this Act. The term "revenue" as
5 used in part III of chapter 39, shall include all or any portion
6 of the rentals derived from the leasing of Hawaiian home lands
7 or available lands, whether or not the property is a part of the
8 development being financed."

9 SECTION 2. Section 213.6, Hawaiian Homes Commission Act,
10 1920, as amended, is amended to read as follows:

11 "**§213.6. Hawaiian home lands trust fund.** There is
12 established a trust fund to be known as the Hawaiian home lands
13 trust fund, into which shall be deposited all appropriations by
14 the state legislature specified to be deposited therein[-] and
15 all proceeds from the sale of harvested koa or native trees,
16 pursuant to section 204.5. Moneys of the Hawaiian home lands
17 trust fund shall be expended by the department, as provided by
18 law, upon approval by the commission and shall be used for
19 capital improvements and other purposes undertaken in
20 furtherance of the Act. The department shall have a fiduciary
21 responsibility toward the trust fund and shall provide annual



1 reports therefor to the legislature and to the beneficiaries of
2 the trust.

3 The commission may deposit moneys from the trust fund into
4 depositories other than the state treasury and may manage,
5 invest, and reinvest moneys in the trust fund. The commission
6 may hold, purchase, sell, assign, transfer, or dispose of any
7 securities and investments in which any of the moneys have been
8 invested, as well as the proceeds of the investments. Moneys
9 from the trust fund that are deposited into depositories other
10 than the state treasury shall be exempt from the requirements of
11 chapters 36 and 38. Any interest or other earnings arising out
12 of investments from the trust fund shall be credited to and
13 deposited into the trust fund."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.



Report Title:

DHHL; Koa and Native Tree Forestation

Description:

Provides that DHHL may utilize Hawaiian home lands for the forestry of koa or native trees. Allows DHHL to enter into public-private partnerships to implement the forestry plan. Requires the proceeds from the forestry plan to be deposited into the Hawaiian home lands trust fund. (SD1)

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