
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. The legislature finds that the mission of the
2 department of Hawaiian home lands is to develop and deliver land
3 to native Hawaiians. The trust, created by Congress through the
4 Hawaiian Homes Commission Act of 1920, as amended (HHCA), set
5 aside public lands to be used for the benefit of native
6 Hawaiians.

7 As required by the Admissions Act and as a compact with the
8 United States, the State of Hawaii and the people of Hawaii
9 adopted the HHCA as a provision of the Hawaii State Constitution
10 and agreed to faithfully carry out the spirit of the HHCA for
11 the rehabilitation of the Hawaiian race. These trust
12 responsibilities remain to this day.

13 The legislature also finds that today, the department of
14 Hawaiian home lands is responsible for the management of 203,500
15 acres of trust lands, 9,959 homestead leases statewide, and
16 44,096 lease applications. However, over 28,700 applicants



1 remain on the waiting list for residential, agricultural, or
2 pastoral leases.

3 The challenges faced by the department of Hawaiian home
4 lands in fulfilling its mission are multi-faceted and include
5 but are not limited to:

- 6 (1) Availability of beneficiary preferred land. The
7 greatest demand, and consequently the longest waiting
8 list, is for residential property on Oahu. However,
9 the department of Hawaiian home lands' land holdings
10 on Oahu represent only three per cent of its total
11 lands;
- 12 (2) Cost of infrastructure. Preparing the department's
13 lands for homesteading with adequate roads, water,
14 sewer drainage, electrical, and other necessities
15 requires a steady source of funding to ensure that
16 environmental compliance, planning, design, and
17 construction phases are coordinated; and
- 18 (3) Capital for mortgage financing. With one of the
19 highest costs of living in the nation, department of
20 Hawaiian home lands beneficiaries also face the



1 challenging issue of obtaining capital for mortgages
2 to build homes and reside on trust lands.

3 The legislature further finds that the revenues collected
4 by the State as of fiscal year 2021 provide an unprecedented
5 opportunity to ensure critical long-term access to adequate
6 funding for the department of Hawaiian home lands to meet its
7 challenges. Accordingly, the purpose of this Act is to provide
8 \$600,000,000 to the department of Hawaiian home lands to be
9 deposited into the native Hawaiian rehabilitation fund to pursue
10 a multi-pronged approach to eliminating its waiting list.

11 SECTION 2. The department of Hawaiian home lands may
12 expend the funds appropriated pursuant to section 5 of this Act
13 to:

- 14 (1) Develop lots or units;
- 15 (2) Purchase available land or units;
- 16 (3) Provide funding for an applicant on the waiting list
17 or the applicant's qualified relative as referenced in
18 section 208(5) of the Hawaiian Homes Commission Act of
19 1920, as amended, to purchase a residence in the
20 State; provided that a preference shall be given to
21 applicants on the waiting list or the applicants'



1 qualified relatives who do not currently own a
2 residence; and

3 (4) Other services as necessary to address the waiting
4 list.

5 SECTION 3. The department of Hawaiian home lands shall
6 submit an annual report to the legislature on the first day of
7 each regular session that includes:

8 (1) An accounting of the expenditures from the native
9 Hawaiian rehabilitation fund for the purposes of this
10 Act in the previous fiscal year; and

11 (2) The number of applicants on the waiting list assisted.

12 SECTION 4. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$600,000,000 or so
14 much thereof as may be necessary for fiscal year 2022-2023 to be
15 deposited into the native Hawaiian rehabilitation fund; provided
16 that the appropriation included in this Act shall not bind the
17 department of Hawaiian home lands to conform to the executive
18 budget execution policies and allotment process for the
19 expenditure of funds.

20 SECTION 5. There is appropriated out of the native
21 Hawaiian rehabilitation fund the sum of \$600,000,000 or so much



1 thereof as may be necessary for fiscal year 2022-2023 for the
2 department of Hawaiian home lands to fulfill its fiduciary
3 duties to beneficiaries.

4 The sum appropriated shall be expended by the department of
5 Hawaiian home lands for the purposes of this Act.

6 SECTION 6. This Act shall take effect on July 1, 2022.

7



Report Title:

DHHL; Native Hawaiian Rehabilitation Fund; Report; Appropriation

Description:

Appropriates funds into and out of the native Hawaiian rehabilitation fund for DHHL to fulfill its fiduciary duties to beneficiaries. Requires DHHL to submit an annual report to the legislature. (HD2)

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

