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# A BILL FOR AN ACT

RELATING TO COMPLIANCE ON HAWAIIAN HOME LANDS.

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

1 SECTION 1. The legislature finds that illegal activity  
2 occurring on Hawaiian home lands threatens the health and safety  
3 of the community.

4 The purpose of this Act is to establish a compliance and  
5 enforcement program within the department of Hawaiian home lands  
6 to investigate complaints, conduct investigations, and cooperate  
7 with enforcement authorities to ensure compliance with the  
8 Hawaiian Homes Commission Act, 1920, as amended; state laws and  
9 rules; and county ordinances and rules applicable to Hawaiian  
10 home lands.

11 SECTION 2. The Hawaii Revised Statutes is amended by  
12 adding a new chapter to be appropriately designated and to read  
13 as follows:

14 "CHAPTER

15 COMPLIANCE ON HAWAIIAN HOME LANDS

16 § -1 Compliance and enforcement program on Hawaiian home  
17 lands; established. The department of Hawaiian home lands shall



1 establish a compliance and enforcement program on Hawaiian home  
2 lands to enforce state laws and rules and county ordinances and  
3 rules on Hawaiian home lands. The department of Hawaiian home  
4 lands shall employ, appoint, and remove, the following persons,  
5 subject to chapter 76 and section 78-1, who shall be provided  
6 with suitable badges or insignia of office by the department of  
7 Hawaiian home lands:

8 (1) An enforcement chief of the department of Hawaiian  
9 home lands, who shall be an administrator experienced  
10 in law enforcement and management, and who shall be  
11 the head of the compliance and enforcement program and  
12 shall have charge, direction, and control, subject to  
13 the direction and control of the chairperson of the  
14 Hawaiian homes commission, of all matters relating to  
15 compliance with the Hawaiian Homes Commission Act,  
16 1920, as amended, and rules adopted thereunder as well  
17 as all other state laws and rules, and county  
18 ordinances and rules applicable to Hawaiian home lands  
19 and other matters as the chairperson of the Hawaiian  
20 homes commission may from time to time direct; and



1           (2) Personnel and enforcement officers of the compliance  
2           and enforcement program on Hawaiian home lands,  
3           including enforcement officers working on an unpaid,  
4           voluntary basis.

5           **§ -2 Compliance and enforcement program on Hawaiian home**  
6 **lands enforcement officers.** The compliance and enforcement  
7 program on Hawaiian home lands enforcement officers, with  
8 respect to all Hawaiian home lands shall:

- 9           (1) Investigate complaints, gather evidence, conduct  
10           investigations, and conduct field observations and  
11           inspections as required or assigned;
- 12           (2) Cooperate with enforcement authorities of the State,  
13           counties, and federal government in development of  
14           programs and mutual aid agreements for compliance and  
15           enforcement activities on Hawaiian home lands;
- 16           (3) Cooperate with established search and rescue agencies  
17           of the counties and the federal government in  
18           developing plans and programs and mutual aid  
19           agreements for search and rescue activities on  
20           Hawaiian home lands;



- 1           (4) Review and verify all homestead leases, general
- 2           leases, licenses, and permits and all other land
- 3           dispositions issued by the department of Hawaiian home
- 4           lands;
- 5           (5) Enforce the laws relating to firearms, ammunition, and
- 6           dangerous weapons contained in chapter 134; and
- 7           (6) Carry out other duties and responsibilities, as
- 8           directed by the department of Hawaiian home lands.

9           **§ -3 Department of Hawaiian home lands; police powers.**

10 The Hawaiian homes commission shall have police powers. The  
11 chairperson of the Hawaiian homes commission may appoint and  
12 commission enforcement officers within the compliance and  
13 enforcement program on Hawaiian home lands. Persons appointed  
14 and commissioned under this section shall have and may exercise  
15 all of the powers and authority of a police officer, including  
16 the power of arrest, and may enforce all state laws and rules,  
17 and county ordinances and rules on Hawaiian home lands; provided  
18 that these powers shall remain in force and effect only while in  
19 actual performance of their duties, which shall include off-duty  
20 employment when off-duty employment is for other state  
21 departments or agencies. These enforcement officers shall



1 consist of personnel whose primary duty will be the enforcement  
2 of state and local laws on Hawaiian home lands and to carry out  
3 work related to compliance with Hawaiian home lands leases and  
4 other land dispositions.

5       **§ -4 Rules.** The department of Hawaiian home lands shall  
6 adopt rules, pursuant to chapter 91, necessary for the purposes  
7 of this chapter."

8       SECTION 3. In accordance with section 9 of article VII, of  
9 the Constitution of the State of Hawaii and sections 37-91 and  
10 37-93, Hawaii Revised Statutes, the legislature has determined  
11 that the appropriation contained in this Act will cause the  
12 state general fund expenditure ceiling for fiscal year 2024-2025  
13 to be exceeded by \$            or            per cent. The reasons for  
14 exceeding the general fund expenditure ceiling are that the  
15 appropriation made in this Act is necessary to serve the public  
16 interest and to meet the needs provided for by this Act.

17       SECTION 4. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$500,000 or so much  
19 thereof as may be necessary for fiscal year 2024-2025 for the  
20 compliance and enforcement program on Hawaiian home lands.



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

3           SECTION 5. This Act shall take effect upon its approval;  
4 provided that section 4 shall take effect on July 1, 2024.

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INTRODUCED BY: \_\_\_\_\_

*D. O. Hill*

JAN 24 2024



# H.B. NO. 2764

**Report Title:**

Compliance and Enforcement; Hawaiian Home Lands; Appropriation;  
General Fund Expenditure Ceiling Exceeded

**Description:**

Establishes a compliance and enforcement program within the Department of Hawaiian Home Lands to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with laws. Appropriates moneys. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025.

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

