
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 Hawaii State Constitution and sections 37-91 and 37-93,
10 Hawaii Revised Statutes, the legislature has determined that the
11 appropriations contained in Act 164, Regular Session of 2023,
12 and this Act will cause the state general fund expenditure
13 ceiling for fiscal year 2024-2025 to be exceeded by
14 \$ or per cent. This current declaration takes
15 into account general fund appropriations authorized for fiscal
16 year 2024-2025 in Act 164, Regular Session of 2023, and this Act
17 only. The reasons for exceeding the general fund expenditure
18 ceiling are that:

19 (1) The appropriation made in this Act is necessary to
20 serve the public interest; and



1 (2) The appropriation made in this Act meets the needs
2 addressed by this Act.

3 SECTION 4. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2024-2025 for
6 the compliance and enforcement program on Hawaiian home lands.

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

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



Report Title:

Compliance and Enforcement; Hawaiian Home Lands; Expenditure Ceiling; Appropriation

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. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation. (SD1)

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