

JAN 20 2023

A BILL FOR AN ACT

RELATING TO INTERIM ADMINISTRATIVE RULES OF 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 department of
2 Hawaiian home lands conducts beneficiary consultation, defined
3 as the department of Hawaiian home lands' direct outreach to
4 lessees, applicants, and native Hawaiians as defined by the
5 Hawaiian Homes Commission Act, 1920, as amended, as part of the
6 department of Hawaiian home lands or Hawaiian homes commission's
7 decision-making process. Beneficiary consultation is conducted
8 prior to initiating the rulemaking process pursuant to chapter
9 91, Hawaii Revised Statutes. The rulemaking process lengthens
10 the time required to implement administrative rules.

11 The purpose of this Act is to allow the department of
12 Hawaiian home lands to issue interim rules, which shall be
13 exempt from the public notice, public hearing, and gubernatorial
14 approval requirements of chapter 91, Hawaii Revised Statutes,
15 after beneficiary consultation is conducted as provided for in
16 the department of Hawaiian home lands' administrative rules and



1 upon approval by the Hawaiian homes commission. The interim
2 rules shall be effective for not more than eighteen months to
3 allow for interim rules to take effect while the department of
4 Hawaiian home lands undertakes the rulemaking process pursuant
5 to chapter 91, Hawaii Revised Statutes, to adopt permanent
6 rules.

7 SECTION 2. Chapter 91, Hawaii Revised Statutes, is amended
8 by adding a new section to be appropriately designated and to
9 read as follows:

10 "§91- Interim rulemaking authority for the department of
11 Hawaiian home lands. (a) Notwithstanding any other law in this
12 chapter to the contrary, the department of Hawaiian home lands
13 may issue interim rules after beneficiary consultation is
14 conducted. The rules shall become effective upon the approval
15 of the Hawaiian homes commission.

16 (b) The interim rules shall be exempt from the public
17 notice, public hearing, and gubernatorial approval requirements
18 of this chapter.

19 (c) The interim rules shall be effective for not more than
20 eighteen months from the date the interim rules take effect.



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1 (d) For the purposes of this section, "beneficiary
2 consultation" means the department of Hawaiian home lands'
3 direct outreach to lessees, applicants, and native Hawaiians as
4 defined by the Hawaiian Homes Commission Act, 1920, as amended,
5 as part of the department of Hawaiian home lands or Hawaiian
6 homes commission's decision-making process."

7 SECTION 3. New statutory material is underscored.

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

9

INTRODUCED BY: _____

A large, stylized handwritten signature in black ink, written over a horizontal line.

S.B. NO. 437

Report Title:

Department of Hawaiian Home Lands; Interim rules

Description:

Allows the Department of Hawaiian Home Lands to issue interim rules exempt from the public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes, after beneficiary consultation is conducted by the Department of Hawaiian Home Lands and upon approval by the Hawaiian Homes Commission. Requires that the interim rules shall be effective for not more than eighteen months.

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

