

A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to provide all native Hawaiians with access to licenses for lots in which lands are leased to theaters, garages, service stations, markets, stores, and other mercantile establishments. Presently, only lessees of the department or organizations formed and controlled by lessees are eligible to receive such licenses. Native Hawaiians who are not lessees are therefore restricted under present provisions. It is the intent that through this amendment all native Hawaiians would be eligible to receive licenses issued under this program.

SECTION 2. Section 207 of the Hawaiian Homes Commission Act, 1920, as amended, is amended by amending subsection (c) to read:

“(c)(1) The department is authorized to grant licenses as easements for railroads, telephone lines, electric power and light lines, gas mains, and the like. The department is also authorized to grant licenses for lots within a district in which lands are leased under the provisions of this section¹ [to:] for:

(A) Churches, hospitals, public schools, post offices, and other improvements for public purposes; and

(B) Theaters, garages, service stations, markets, stores, and other mercantile establishments (all of which shall be owned by [lessees of the

department] native Hawaiians or by organizations formed and controlled by [said lessees] native Hawaiians).

(2) The department is also authorized, with the approval of the governor, to grant licenses to the United States for terms not to exceed five years, for reservations, roads, and other rights-of-way, water storage and distribution facilities, and practice target ranges; provided that any such license may be extended from time to time by the department, with the approval of the governor, for additional terms of three years.

(3) Any license issued under this subsection shall be subject to such terms, conditions, and restrictions as the department shall determine and shall not restrict the areas required by the department in carrying on its duties, nor interfere in any way with the department's operation or maintenance activities."

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

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

(Approved April 16, 1984.)

Note

1. Prior to amendment ",", appeared here.