
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. Section 26-17, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§26-17 Department of Hawaiian home lands.** (a) The
4 department of Hawaiian home lands shall be headed by an
5 executive board to be known as the Hawaiian homes commission.

6 (b) The commission shall be composed of nine members. The
7 appointment, tenure, and removal of the members and the filling
8 of vacancies on the commission shall be in accordance with
9 section 26-34 and section 202(a) of the Hawaiian Homes
10 Commission Act of 1920, as amended. The governor shall appoint
11 the chairperson of the commission from among the members
12 thereof.

13 (c) The commission may delegate to the chairperson such
14 duties, powers, and authority, or so much thereof as may be
15 lawful or proper, for the performance of the functions vested in
16 the commission.

17 (d) The chairperson of the board shall serve in a full-
18 time capacity and shall perform [~~such~~] the duties, and exercise



1 ~~[such]~~ the powers and authority, or so much thereof as may be
2 delegated to the chairperson by the board.

3 (e) The department shall administer the Hawaiian Homes
4 Commission Act of 1920 as set forth in the ~~[Constitution of the~~
5 ~~State]~~ Hawaii state constitution and by law.

6 (f) Of funds derived from the public land trust,
7 \$10,000,000 transferred to the department under subsection (g)
8 shall be expended by the department for the development of farm
9 and home ownership on as widespread a basis as possible,
10 pursuant to section 171-18; provided that this amount shall not
11 be deducted from the pro rata portion distributed to the office
12 of Hawaiian affairs pursuant to section 10-3.

13 (g) The departments of agriculture; accounting and general
14 services; business, economic development, and tourism;
15 education; and land and natural resources; the harbors division
16 of the department of transportation; and any other department or
17 agency that collects revenue from lands within the public land
18 trust shall transfer to the department of Hawaiian home lands an
19 aggregate amount of \$2,500,000, from revenue collected from the
20 use of lands within the public land trust, within thirty days of
21 the close of each fiscal quarter; provided that the transfer is
22 not prohibited by federal law.



1 (h) The functions and authority heretofore exercised by
2 the Hawaiian homes commission as heretofore constituted are
3 transferred to the department of Hawaiian home lands established
4 by this chapter.

5 (i) As used in this section:

6 "Public land trust" has the same meaning as in section
7 10-3(1).

8 "Revenue" means all proceeds, fees, charges, rents, or
9 other income, or any portion thereof, derived from any sale,
10 lease, license, permit, or other similar proprietary
11 disposition, permitted use, or activity that is situated upon
12 and results from the actual use of lands comprising the public
13 land trust, including any penalties or levies exacted as a
14 result of a violation of the terms of any proprietary
15 disposition. "Revenue" does not include any income, proceeds,
16 fees, charges, or other moneys derived through the exercise of
17 sovereign functions and powers, including:

- 18 (1) Taxes;
- 19 (2) Regulatory or licensing fees;
- 20 (3) Fines, penalties, or levies;
- 21 (4) Registration fees;



- 1 (5) Moneys received by any public educational institution,
- 2 including the University of Hawaii system, from its
- 3 educational programs and ancillary services, such as
- 4 tuition, registration fees, meals, books, grants, or
- 5 scholarships;
- 6 (6) Interagency and intra-agency administrative fees or
- 7 assessments;
- 8 (7) Moneys derived from or provided in support of penal
- 9 institutions and programs;
- 10 (8) Grants, carry-overs, and pass-throughs;
- 11 (9) Federal moneys, including federal-aid, grants,
- 12 subsidies, and contracts;
- 13 (10) Moneys collected from the sale or dissemination of
- 14 government publications; and
- 15 (11) Department of defense proceeds on state-improved
- 16 lands."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2013.



Report Title:

Department of Hawaiian Home Lands; Public Land Trust Revenues

Description:

Provides that \$10,000,000, from the public land trust shall be expended by the Department of Hawaiian Home Lands (DHHL) for development of farm and home ownership. Requires the departments and agencies that use the lands within the public land trust to transfer \$2,500,000 in the aggregate, quarterly to DHHL. Effective July 1, 2013. (HB175 HD1)

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

