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## A BILL FOR AN ACT

RELATING TO TRAINING.

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

1           SECTION 1. In recognition of the State's constitutional  
2 and statutory obligation to protect the traditional and  
3 customary rights of native Hawaiians, the legislature passed Act  
4 169, Session Laws of Hawaii 2015, which directed the office of  
5 Hawaiian affairs to create and administer a training course on  
6 native Hawaiian and Hawaiian rights. Specifically, Act 169  
7 required members of certain boards and commissions whose roles  
8 directly affected native Hawaiian rights to participate in the  
9 training course, thereby ensuring that the members would possess  
10 the appropriate knowledge required to properly execute their  
11 duties. Upon completing the course, members of these boards and  
12 commissions would be educated of their lawful obligations, and  
13 understand how infringement of those obligations would affect  
14 native Hawaiian and Hawaiian people.

15           Act 169 allows, but does not require, heads of state and  
16 county departments to attend these trainings. The legislature  
17 finds that it is appropriate for these individuals, as chief



1 executive officers of their respective state and county  
2 agencies, to be required to receive this training.

3 Therefore, the purpose of this Act is to require the heads  
4 of all state and county departments to take the training course  
5 prescribed by Act 169.

6 SECTION 2. Chapter 10, Hawaii Revised Statutes, is amended  
7 by amending the title of part III to read as follows:

8 "[+]PART III.[+] TRAINING; STATE AND COUNTY DEPARTMENT  
9 HEADS; CERTAIN BOARDS, COMMISSIONS, AND COUNCILS; NATIVE  
10 HAWAIIAN AND HAWAIIAN TRADITIONAL AND CUSTOMARY RIGHTS, NATURAL  
11 RESOURCE PROTECTION AND ACCESS RIGHTS, AND THE PUBLIC TRUST"

12 SECTION 3. Section 10-41, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14 "(a) The training required by this part shall apply to all  
15 state and county department heads and members of the land use  
16 commission, board of land and natural resources, commission on  
17 water resource management, environmental council, board of  
18 directors of the agribusiness development corporation, board of  
19 agriculture, legacy land conservation commission, natural area  
20 reserves system commission, Hawaii historic places review board,  
21 and board of health."



1 SECTION 4. Section 10-42, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 1. By amending subsection (a) to read:

4 "(a) All state and county department heads and council,  
5 board, and commission members identified in section 10-41(a)  
6 shall complete the training course administered by the office of  
7 Hawaiian affairs pursuant to this section within twelve months  
8 of the date of the member's initial appointment."

9 2. By amending subsection (c) to read:

10 "(c) The office of Hawaiian affairs, at its own expense,  
11 shall develop the methods and prepare any materials necessary to  
12 implement the training course, administer the training course,  
13 and notify each state or county department head, council, board,  
14 and commission identified in section 10-41(a) that attendance in  
15 a training course is mandatory."

16 3. By amending subsection (e) to read:

17 "(e) The governor and mayor of each county shall provide  
18 to the office of Hawaiian affairs the names of persons required  
19 to take the training course pursuant to this part within thirty  
20 calendar days of their initial appointment by the governor[-] or  
21 mayor."



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1           SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 23 2017



# H.B. NO. 862

**Report Title:**

Native Hawaiian and Hawaiian Rights; Training Course; Counties;  
Department Heads

**Description:**

Requires state and county department heads to take the training on native Hawaiian and Hawaiian traditional and customary rights administered by OHA.

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

