
A BILL FOR AN ACT

RELATING TO 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 and the office of Hawaiian affairs are vital
3 to the well-being and financial autonomy of the native Hawaiian
4 community. Providing the many important services to native
5 Hawaiian residents requires sufficient funds as mandated by the
6 Hawaii Constitution and the Hawaii Revised Statutes.

7 The legislature further finds that the department of
8 Hawaiian home lands funding mandate arises from article XII,
9 section 1 of the Hawaii Constitution, which states in pertinent
10 part that the legislature shall make sufficient sums available
11 for the administration and operating budget of the department.
12 The legislature notes that in Nelson v. Hawaiian Homes
13 Commission, 127, Hawaii 195, 277 P.3d 279 (2012), the supreme
14 court of the State of Hawaii determined that the State had not
15 provided sufficient funding to the department as required by the
16 state constitution.



1 The legislature also finds that the office of Hawaiian
2 affairs is similarly charged with administration of programs
3 that benefit native Hawaiians. In accordance with section
4 10-13.5, Hawaii Revised Statutes, the office of Hawaiian affairs
5 is obligated to expend twenty per cent of the funds derived from
6 the public and trust for the purposes of its office.

7 The purpose of this Act is to appropriate from the general
8 fund:

9 (1) An amount equal to the budget request (for operating
10 and administrative expenses) that is annually
11 submitted by the department of Hawaiian home lands;
12 and

13 (2) An amount equal to twenty per cent of all funds
14 derived from the public land trust as mandated by
15 10-13.5, Hawaii Revised Statutes.

16 SECTION 2. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so
18 much thereof as may be necessary for fiscal year 2020-2021 for
19 operating and administrative expenses of the department of
20 Hawaiian home lands.



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

3 SECTION 3. 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 2020-2021
6 pursuant to section 10-13.5, Hawaii Revised Statutes.

7 The sum appropriated shall be expended by the office of
8 Hawaiian affairs for purposes consistent with this Act,
9 including related to Hawaiian home lands.

10 SECTION 4. This Act shall take effect on July 1, 2020.

11



Report Title:

Department of Hawaiian Home Lands; Office of Hawaiian Affairs;
Appropriation

Description:

Appropriates funds for the Department of Hawaiian Home Lands and
Office of Hawaiian Affairs as mandated by the Constitution of
the State of Hawaii and Hawaii law. (SD1)

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

