
A BILL FOR AN ACT

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.

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

1 SECTION 1. Section 207, Hawaiian Homes Commission Act,
2 1920, is amended by amending subsection (a) to read as follows:
3 "(a) The department [~~is authorized to~~] may lease to native
4 Hawaiians the right to the use and occupancy of a tract or
5 tracts of Hawaiian home lands [~~within the following acreage~~
6 ~~limits per each lessee: (1) not more than forty acres of~~
7 ~~agriculture lands or lands used for aquaculture purposes; or (2)~~
8 ~~not more than one hundred acres of irrigated pastoral lands and~~
9 ~~not more than one thousand acres of other pastoral lands; or (3)~~
10 ~~not more than one acre of any class of land to be used as a~~
11 ~~residence lot;]:
12 (1) For agricultural purposes, including farming,
13 regardless of whether those purposes are for-profit or
14 non-profit; provided that the priority of availability
15 of leases for these purposes shall depend on the
16 availability of suitable tracts of land to native
17 Hawaiians;~~



1 (2) For aquacultural purposes; provided that no lessee may
2 lease more than forty acres of land for these
3 purposes;

4 (3) That are irrigated for pastoral purposes; provided
5 that no lessee may lease more than one hundred acres
6 of these lands;

7 (4) That are other pastoral lands; provided that no lessee
8 may lease more than one thousand acres of these lands;
9 or

10 (5) For a residential lot; provided that no lessee may
11 lease more than one acre of land for this purpose;

12 provided further that in the case of any existing lease of a
13 farm lot [~~in the Kalaniana'ole Settlement~~] on Molokai, a
14 residence lot may exceed one acre but shall not exceed four
15 acres in area, the location of such area to be selected by the
16 department; provided further that a lease granted to any lessee
17 may include two detached farm lots or aquaculture lots, as the
18 case may be, located on the same island and within a reasonable
19 distance of each other, one of which, to be designated by the
20 department, shall be occupied by the lessee as the lessee's
21 home, the gross acreage of both lots not to exceed the maximum



1 acreage of an agricultural, pastoral, or aquacultural lot, as
2 the case may be, as provided in this section."

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 3. The provisions of the amendments made by this
7 Act to the Hawaiian Homes Commission Act, 1920, as amended, are
8 declared to be severable, and if any section, sentence, clause,
9 or phrase, or the application thereof to any person or
10 circumstances is held ineffective because there is a requirement
11 of having the consent of the United States to take effect, then
12 that portion only shall take effect upon the granting of consent
13 by the United States and effectiveness of the remainder of these
14 amendments or the application thereof shall not be affected.

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect upon its approval by
18 the governor of the State of Hawaii with the consent of the
19 United States Congress.



Report Title:

Department of Hawaiian Home Lands Lessees; Agriculture; Farming;
Acreage; Profit

Description:

Removes acreage restrictions on leases of Hawaiian home lands for agricultural purposes. Provides that the priority of availability of the foregoing leases shall be subject to the availability of suitable tracts of land to native Hawaiians. Specifies that the foregoing leases may be for either for-profit or non-profit purposes. (HD1)

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