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# 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. (a) The legislature finds that the mission of  
2 the department of Hawaiian home lands is to develop and deliver  
3 land to native Hawaiians. The public land trust, created by  
4 Congress through the Hawaiian Homes Commission Act, 1920, as  
5 amended (HHCA), set aside lands to be used for the benefit of  
6 native Hawaiians.

7           As required by the Admission Act and as a compact with the  
8 United States, the State of Hawaii and the people of Hawaii  
9 adopted the HHCA as a provision of the Hawaii State Constitution  
10 and agreed to faithfully carry out the spirit of the HHCA for  
11 the rehabilitation of the Hawaiian race. These trust  
12 responsibilities remain to this day.

13           The legislature also finds that today, the department of  
14 Hawaiian home lands is responsible for the management of 203,500  
15 acres of trust lands, 9,959 homestead leases statewide, and  
16 44,096 lease applications. However, over 28,700 applicants



1 remain on the waitlist for residential, agricultural, or  
2 pastoral leases.

3 The challenges faced by the department of Hawaiian home  
4 lands in fulfilling its mission are multi-faceted, and include  
5 but are not limited to:

- 6 (1) Availability of beneficiary-preferred land. The  
7 greatest demand, and subsequently, the longest waiting  
8 list, is for residential property on Oahu. However,  
9 the department of Hawaiian home lands' land holdings  
10 on Oahu represent only three per cent of its total  
11 lands;
- 12 (2) Cost of infrastructure. Preparing the department's  
13 lands for homesteading with adequate roads, water,  
14 sewer drainage, electrical, and other necessities  
15 requires a steady source of funding to ensure that  
16 environmental compliance, planning, design, and  
17 construction phases are coordinated; and
- 18 (3) Capital for mortgage financing. With one of the  
19 highest costs of living in the nation, department of  
20 Hawaiian home lands beneficiaries also face the



1           challenging issue of obtaining capital for mortgages  
2           to build homes and reside on trust lands.

3           The legislature further finds that the revenues collected  
4 by the State as of fiscal year 2021 provide an unprecedented  
5 opportunity to ensure critical long term access to adequate  
6 funding for the department of Hawaiian home lands to meet its  
7 challenges.

8           (b) Accordingly, the purpose of this Act is to provide  
9 funds to the department of Hawaiian home lands to pursue a  
10 multi-pronged approach to eliminating its waitlist.

11          Specifically, this Act:

12          (1) Requires the department of Hawaiian home lands to  
13             submit annual reports to the legislature regarding  
14             expenditures from the native Hawaiian rehabilitation  
15             fund and the number of beneficiaries removed from the  
16             waitlist for Hawaiian home lands through the use of  
17             funds from the native Hawaiian rehabilitation fund;  
18             and

19          (2) Appropriates moneys into and out of the native  
20             Hawaiian rehabilitation fund for:



1 (A) Hawaiian home lands lots and related projects;  
2 and

3 (B) Down payment assistance and mortgage payment  
4 assistance to department of Hawaiian home lands  
5 beneficiaries.

6 SECTION 2. The Hawaiian Homes Commission Act, 1920, as  
7 amended, is amended by adding a new section to be appropriately  
8 designated and to read as follows:

9 "§ . Native Hawaiian rehabilitation fund; reports.

10 The department of Hawaiian home lands shall submit an annual  
11 report to the legislature no later than twenty days prior to  
12 each regular session that includes:

13 (1) An accounting of the expenditures from the native  
14 Hawaiian rehabilitation fund in the previous fiscal  
15 year; and

16 (2) The number of beneficiaries removed from the waitlist  
17 for Hawaiian home lands through the use of funds from  
18 the native Hawaiian rehabilitation fund."

19 SECTION 3. There is appropriated out of the general  
20 revenues of the State of Hawaii the sum of \$600,000,000 or so  
21 much thereof as may be necessary for fiscal year 2022-2023 to be



1 deposited into the native Hawaiian rehabilitation fund; provided  
2 that this appropriation shall not bind the department of  
3 Hawaiian home lands to conform to the executive budget execution  
4 policies and allotment process for the expenditure of funds.

5 SECTION 4. There is appropriated out of the native  
6 Hawaiian rehabilitation fund the sum of \$487,614,000 or so much  
7 thereof as may be necessary for fiscal year 2022-2023 for plans,  
8 design, construction, land acquisition, and equipment for  
9 infrastructure for the following projects:

10 1. East Kapolei IIC, Oahu

11 A project for one hundred  
12 thirty new lots.

13 Total funding \$20,000,000

14 2. East Kapolei IID, Oahu

15 A project for one hundred  
16 sixty-seven new lots.

17 Total funding \$22,444,800

18 3. East Kapolei IIE, Oahu

19 A project for one hundred  
20 fifty-eight new lots.

21 Total funding \$24,460,800



1 4. East Kapolei IIF, Oahu  
2 A project for two hundred  
3 fifty new lots.  
4 Total funding \$30,374,400  
5 5. East Kapolei IIA, Oahu  
6 A project for three hundred  
7 new lots.  
8 Total funding \$5,000,000  
9 6. East Kapolei LDA3, Oahu  
10 A project for two hundred  
11 fifty new lots.  
12 Total funding \$5,000,000  
13 7. Waimanalo, Oahu  
14 A project for one hundred  
15 fifty new agricultural and  
16 residential lots.  
17 Total funding \$25,000,000  
18 8. Maili, Oahu  
19 A project for development  
20 and two hundred eighty new  
21 lots.



|    |  |              |
|----|--|--------------|
| 1  | Total funding  | \$55,300,000 |
| 2  | 9. Puunani Homestead Subdivision, Maui                       |              |
| 3  | A project for one hundred                                    |              |
| 4  | sixty-one new lots.  |              |
| 5  | Total funding  | \$13,200,000 |
| 6  | 10. Puunani Homestead Phase 2, Maui                          |              |
| 7  | A project for one hundred                                    |              |
| 8  | forty new lots.  |              |
| 9  | Total funding  | \$32,000,000 |
| 10 | 11. Keokea-Waiohuli Phase 2B And Phase 3, Maui               |              |
| 11 | A project for seventy-six                                    |              |
| 12 | new lots.  |              |
| 13 | Total funding  | \$27,834,000 |
| 14 | 12. West Maui Development - Leialii 1B, Maui                 |              |
| 15 | A project for highway and                                    |              |
| 16 | parkway improvements, water                                  |              |
| 17 | development, and two   |              |
| 18 | hundred fifty new lots.                                      |              |
| 19 | Total funding  | \$60,000,000 |
| 20 | 13. Hoolehua - Naiwa Agricultural Subdivision, Molokai, Maui |              |





1 The projects set forth in this section may include waste water  
2 lines and water transmission lines for state projects; repair,  
3 refurbishment, renovation, and new construction; ground and site  
4 improvements; and equipment and appurtenances for each project.

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

7 SECTION 5. There is appropriated out of the native  
8 Hawaiian rehabilitation fund the sum of \$112,386,000 or so much  
9 thereof as may be necessary for fiscal year 2022-2023 for down  
10 payment assistance and mortgage payment assistance to  
11 beneficiaries of the Hawaiian Homes Commission Act, 1920.

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

14 SECTION 6. New statutory material is underscored.

15 SECTION 7. This Act shall take effect on July 1, 2050.



**Report Title:**

DHHL; Native Hawaiian Rehabilitation Fund; Appropriation

**Description:**

Requires the Department of Hawaiian Home Lands to submit certain annual reports to the Legislature regarding the native Hawaiian rehabilitation fund. Appropriates moneys into and out of the fund for Hawaiian home lands lots, related projects, and down payment assistance and mortgage payment assistance to the Department's beneficiaries. Effective 7/1/2050. (SD2)

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

