
A BILL FOR AN ACT

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

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

1 PART I

2 SECTION 1. The purpose of this Act is to establish a
3 temporary public land trust working group to be placed within
4 the office of the governor for administrative purposes only.
5 The working group shall have the sole, special purpose of
6 compiling a definitive inventory of the lands that comprise the
7 public land trust described in section 4, and referred to in
8 section 6, of article XII of the Hawaii State Constitution. The
9 legislature intends that this inventory and valuation will be
10 the basis for future legislation to determine the income and
11 proceeds from the pro rata portion of the public land trust
12 under article XII, section 6, of the state constitution for
13 expenditure by the office of Hawaiian affairs for the betterment
14 of the conditions of native Hawaiians.

15 SECTION 2. (a) There is established in the office of the
16 governor for administrative purposes only a temporary public
17 land trust working group that shall have the special purpose of



1 compiling an inventory of all lands in the public land trust and
2 then, once an inventory is completed, establishing a valuation
3 of the lands in the inventory. The working group shall use its
4 reasonable best efforts to complete the inventory within
5 twenty-four months of the effective date of this Act.

6 (b) The working group shall comprise six members, one of
7 whom shall be appointed by the governor, one of whom shall be
8 appointed by the speaker of the house of representatives, one of
9 whom shall be appointed by the president of the senate, and
10 three of whom shall be appointed by the office of Hawaiian
11 affairs board of trustees.

12 (c) All state agencies shall identify and provide full
13 cooperation and access to information requested by the working
14 group regarding all lands under the agency's ownership or
15 control, whether the land is owned by the agency in fee or set
16 aside by executive order, to the extent required by the working
17 group to fulfill its purpose of identifying all lands in the
18 public land trust inventory.

19 (d) The office of Hawaiian affairs shall provide the
20 working group with a comprehensive list of all parcels of land
21 that the office of Hawaiian affairs believes:



1 (1) Are required to be included in the public land trust
2 inventory; and

3 (2) Constitute crown lands that should be included in the
4 public land trust inventory.

5 (e) The members of the working group shall appoint,
6 without regard to chapters 76 and 89, Hawaii Revised Statutes,
7 an executive director who shall serve at the pleasure of the
8 working group. The executive director shall oversee the
9 day-to-day operations of the working group and perform other
10 functions as directed by the working group, including procuring
11 any professional and other services necessary to complete the
12 inventory of the public land trust. The executive director's
13 salary shall be determined by the working group.

14 (f) The working group may employ, without regard to
15 chapters 76 and 89, Hawaii Revised Statutes, and at its pleasure
16 dismiss, other persons whom the working group deems necessary
17 for the performance of its functions. The working group may
18 establish the compensation of any persons employed pursuant to
19 this subsection.

20 (g) The working group shall submit an annual report on the
21 progress of its work to the legislature no later than twenty



1 days prior to the convening of each regular session. The
2 working group shall further submit interim progress reports to
3 the legislature, office of Hawaiian affairs, and governor by the
4 close of each fiscal quarter.

5 (h) The temporary public land trust working group shall
6 cease to exist on , 20 .

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2023-2024 and
10 the same sum or so much thereof as may be necessary for fiscal
11 year 2024-2025 to carry out the purposes of this part, including
12 the hiring of necessary staff, purchasing of equipment, and
13 procurement of professional and other services.

14 The sums appropriated shall be expended by the office of
15 the governor for the purposes of this part.

16 PART II

17 SECTION 4. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$65,000,000 or so
19 much thereof as may be necessary for fiscal year 2023-2024 and
20 the same sum or so much thereof as may be necessary for fiscal
21 year 2024-2025 for repairs to bulkheads and revetments located



1 in the parcels conveyed to the office of Hawaiian affairs
2 pursuant to Act 15, Session Laws of Hawaii 2012.

3 The sums appropriated shall be expended by the office of
4 Hawaiian affairs for the purposes of this part.

5 PART III

6 SECTION 5. (a) The office of Hawaiian affairs shall
7 prepare a programmatic environmental impact statement for any
8 office of Hawaiian affairs development projects within the
9 Kakaako community development district makai area.

10 (b) The office of Hawaiian affairs shall submit the
11 programmatic environmental impact statement to the office of
12 environmental quality control. Acceptance of a programmatic
13 environmental impact statement by the office of environmental
14 quality control shall be a condition precedent to the
15 implementation of any proposed development project by the office
16 of Hawaiian affairs within the Kakaako community development
17 district makai area.

18 (c) Once the programmatic environmental impact statement
19 has been accepted by the office of environmental quality
20 control, it shall satisfy the requirements of chapter 343,
21 Hawaii Revised Statutes, for any development project approved by



1 the office of Hawaiian affairs within the Kakaako community
2 development district makai area.

3 (d) The office of Hawaiian affairs shall adopt rules
4 pursuant to chapter 91, Hawaii Revised Statutes for the purposes
5 of this section.

6 (e) As used in this section, "environmental impact
7 statement" shall have the same meaning as in section 343-2,
8 Hawaii Revised Statutes.

9 SECTION 6. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$6,000,000 or so much
11 thereof as may be necessary for fiscal year 2023-2024 to prepare
12 a programmatic environmental impact statement for any
13 development projects within the Kakaako community development
14 district makai area.

15 The sum appropriated shall be expended by the office of
16 Hawaiian affairs for the purposes of this part.

17 PART IV

18 SECTION 7. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$13,000,000 or so
20 much thereof as may be necessary for fiscal year 2023-2024 for



1 architectural and engineering design, water supply, and other
2 construction costs for the development of Kukaniloko.

3 The sum appropriated shall be expended by the office of
4 Hawaiian affairs for the purposes of this part.

5 PART IV

6 SECTION 8. If any provision of this Act, or the
7 application thereof to any person or circumstance, is held
8 invalid, the invalidity does not affect other provisions or
9 applications of the Act that can be given effect without the
10 invalid provision or application, and to this end the provisions
11 of this Act are severable.

12 SECTION 9. This Act shall take effect on July 1, 2050.



Report Title:

OHA; Temporary Public Land Trust Working Group; Office of the Governor; Public Land Trust Inventory; Appropriations

Description:

Establishes a temporary public land trust working group within the Office of the Governor for administrative purposes only. Provides that the working group's sole purpose shall be to compile a definitive inventory of public land trust lands. Authorizes the working group to hire staff. Appropriates moneys to the Office of Hawaiian Affairs to be used for making repairs to bulkheads and revetments located in certain parcels conveyed to the Office and for certain construction costs for the development of Kukaniloko. Requires and appropriates moneys for the Office of Hawaiian Affairs to conduct a programmatic environmental impact statement for any development projects within the Kakaako Makai area of the public land trust. 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.

