

JAN 20 2023

A BILL FOR AN ACT

RELATING TO COMPLIANCE ON HAWAIIAN HOME LANDS.

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

1 SECTION 1. The legislature finds that illegal activity
2 occurring on Hawaiian home lands threatens the health and safety
3 of the community. The purpose of this Act is to establish a
4 compliance and enforcement program within the department of
5 Hawaiian home lands to investigate complaints, conduct
6 investigations, and cooperate with enforcement authorities to
7 ensure compliance with state law, including the Hawaiian Homes
8 Commission Act, 1920, as amended, and the rules adopted
9 thereunder, as well as all other state laws and rules and county
10 ordinances on Hawaiian home lands.

11 SECTION 2. The Hawaii Revised Statutes is amended by
12 adding a new chapter to be appropriately designated and to read
13 as follows:

14 "CHAPTER

15 COMPLIANCE ON HAWAIIAN HOME LANDS

16 § -1 Compliance and enforcement program on Hawaiian home
17 lands; established. The department of Hawaiian home lands shall



1 establish a compliance and enforcement program on Hawaiian home
2 lands to enforce state laws, rules, and regulations, and county
3 ordinances, rules, and regulations on Hawaiian home lands and
4 shall employ or appoint, and remove, the following persons,
5 subject to chapter 76 and section 78-1, who shall be provided
6 with suitable badges or insignia of office by the department of
7 Hawaiian home lands:

8 (1) An enforcement chief of the department of Hawaiian
9 home lands, who shall be the head of the compliance
10 and enforcement program and shall have charge,
11 direction, and control, subject to the direction and
12 control of the chair of the Hawaiian homes commission,
13 of all matters relating to compliance with the
14 Hawaiian Homes Commission Act, 1920, as amended, and
15 rules adopted thereunder as well as all other state
16 laws, rules, and regulations, and county ordinances,
17 rules, and regulations on Hawaiian home lands and such
18 other matters as the chair of the Hawaiian homes
19 commission may from time to time direct. The
20 enforcement chief shall be an administrator
21 experienced in law enforcement and management; and



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1 (2) Personnel and enforcement officers of the compliance
2 and enforcement program on Hawaiian home lands,
3 including but not limited to enforcement officers on a
4 voluntary basis and without pay.

5 § -2 Compliance and enforcement program on Hawaiian home
6 lands enforcement officers. The compliance and enforcement
7 program on Hawaiian home lands enforcement officers, with
8 respect to all Hawaiian home lands shall:

- 9 (1) Investigate complaints, gather evidence, conduct
10 investigations, and conduct field observations and
11 inspections as required or assigned;
- 12 (2) Cooperate with enforcement authorities of the State,
13 counties, and federal government in development of
14 programs and mutual aid agreements for compliance and
15 enforcement activities on Hawaiian home lands;
- 16 (3) Cooperate with established search and rescue agencies
17 of the counties and the federal government in
18 developing plans and programs and mutual aid
19 agreements for search and rescue activities on
20 Hawaiian home lands;



- 1 (4) Check and verify all homestead leases, general leases,
2 permits, and licenses and all other land dispositions
3 issued by the department of Hawaiian home lands;
- 4 (5) Enforce the laws relating to firearms, ammunition, and
5 dangerous weapons contained in chapter 134; and
- 6 (6) Carry out other duties and responsibilities as the
7 department of Hawaiian home lands from time to time
8 may direct.

9 § -3 Department of Hawaiian home lands; police powers.

10 The Hawaiian homes commission shall have police powers. The
11 chair of the Hawaiian homes commission may appoint and
12 commission enforcement officers within the compliance and
13 enforcement program on Hawaiian home lands. Persons appointed
14 and commissioned under this section shall have and may exercise
15 all of the powers and authority of a police officer, including
16 the power of arrest, and may enforce all state laws and rules,
17 and county ordinances on Hawaiian home lands; provided that such
18 powers shall remain in force and effect only while in actual
19 performance of their duties, which shall include off-duty
20 employment when such employment is for other state departments
21 or agencies. These enforcement officers shall consist of



1 personnel whose primary duty will be the enforcement of state
2 and local laws on Hawaiian home lands and to carry out work
3 related to compliance with Hawaiian home lands leases, permits,
4 and other requirements.

5 § -4 Rules. The department of Hawaiian home lands may
6 promulgate rules, pursuant to chapter 91, necessary for
7 administration of this chapter."

8 SECTION 3. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$500,000 or so much
10 thereof as may be necessary for fiscal year 2023-2024 and the
11 same sum or so much thereof as may be necessary for fiscal year
12 2024-2025 for the compliance and enforcement program on Hawaiian
13 home lands.

14 The sums appropriated shall be expended by the department
15 of Hawaiian home lands for the purposes of this Act.

16 SECTION 4. This Act shall take effect upon its approval;
17 provided that section 3 shall take effect on July 1, 2023.

18

INTRODUCED BY:  _____



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Report Title:

Compliance and Enforcement; Hawaiian Home Lands; Appropriation

Description:

Establishes a compliance and enforcement program within the Department of Hawaiian Home Lands to investigate complaints, conduct investigations, and cooperate with enforcement authorities to ensure compliance with all state laws and rules and county ordinances on Hawaiian Home Lands. Appropriates funds.

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

