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

4 "§ Regulations. (a) The Department of the Interior of
5 the United States may adopt regulations necessary for the
6 purposes of this Act, including sections 202, 204, 207, 210, and
7 214, that provide guidance to the State of Hawaii in its
8 day-to-day administration.

9 (b) In adopting regulations, the Department of the
10 Interior shall:

11 (1) Be consistent with the principle that the federal
12 government maintains oversight of the administration
13 of the land trust by the State of Hawaii department of
14 Hawaiian home lands;

15 (2) Ensure that the regulations:

16 (A) Protect the rights of citizens who are
17 beneficiaries of this Act; and



- 1 (B) Advance the self-determination of HHCA
- 2 Beneficiary Associations and Homestead
- 3 Associations as defined in title 43 Code of
- 4 Federal Regulations section 47.10; and
- 5 (5) Ensure that the regulations are consistent with the
- 6 Act to Provide for the Admission of the State of
- 7 Hawaii into the Union, also known as "the Hawaii
- 8 Admission Act" or "the Admission Act"."

9 SECTION 2. Section 202, Hawaiian Homes Commission Act,
 10 1920, as amended, is amended by amending subsection (a) to read
 11 as follows:

12 "(a) There shall be a department of Hawaiian home lands
 13 which shall be headed by an executive board to be known as the
 14 Hawaiian homes commission. The members of the commission shall
 15 be nominated and appointed in accordance with section 26-34,
 16 Hawaii Revised Statutes. The commission shall be composed of
 17 nine members, as follows: three shall be residents of the city
 18 and county of Honolulu; two shall be residents of the county of
 19 Hawaii one of whom shall be a resident of east Hawaii and the
 20 other a resident of west Hawaii; two shall be residents of the
 21 county of Maui one of whom shall be a resident from the island



1 of Molokai; one shall be a resident of the county of Kauai; and
2 the ninth member shall be the chairman of the Hawaiian homes
3 commission. All members shall have been residents of the State
4 at least three years prior to their appointment [~~and at least~~
5 ~~four~~]. Not less than five of the members shall be beneficiaries
6 who are native Hawaiian as defined in section 201(a) of this
7 Act. Not more than four of the members shall be descendants of
8 not less than one-fourth part of the blood of the races
9 inhabiting the Hawaiian Islands previous to 1778. The members
10 of the commission shall serve without pay, but shall receive
11 actual expenses incurred by them in the discharge of their
12 duties as such members. The governor shall appoint the chairman
13 of the commission from among the members thereof.

14 The commission may delegate to the chairman such duties,
15 powers, and authority or so much thereof, as may be lawful or
16 proper for the performance of the functions vested in the
17 commission. The chairman of the commission shall serve in a
18 full-time capacity. He shall, in such capacity, perform such
19 duties, and exercise such powers and authority, or so much
20 thereof, as may be delegated to him by the commission as herein
21 provided above."



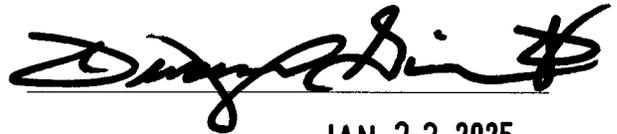
1 SECTION 3. The provisions of the amendments made by this
2 Act to the Hawaiian Homes Commission Act, 1920, as amended, are
3 declared to be severable, and if any section, sentence, clause,
4 or phrase, or the application thereof to any person or
5 circumstances is held ineffective because there is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

11 SECTION 4. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 5. This Act shall take effect upon its approval.

14

INTRODUCED BY:



JAN 23 2025



H.B. NO. 1400

Report Title:

HHCA; Regulations; Native Hawaiians; Commission Members

Description:

Authorizes the Department of the Interior of the United States to adopt certain regulations for the purposes of the Hawaiian Homes Commission Act. Provides that not less than 5 of the members shall be beneficiaries who are native Hawaiian as defined in section 201(a) of the Act, and that not more than 4 of the members shall be descendants of not less than one-fourth part of the blood of the races inhabiting the Hawaiian Islands previous to 1778.

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