

JAN 17 2025

A BILL FOR AN ACT

RELATING TO LAND RESTORATION.

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

1 SECTION 1. Chapter 171, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART . ALOHA AINA LAND TRUST**

5 **§171-A Definitions.** As used in this part:

6 "Kuleana land" has the same meaning as in section 669-2.

7 "Transferred land" means lands transferred to the aloha
8 aina land trust pursuant to section 171-B(b) (2).

9 **§171-B Lands; applicability.** (a) Notwithstanding any law
10 to the contrary, this part shall apply to all lands leased by
11 the State to the United States military as of the effective date
12 of this part.

13 (b) Upon the expiration of each lease to which this part
14 applies, the applicable parcel of land shall be transferred to:

15 (1) The owner of an inheritable interest in kuleana land,
16 as applicable; or



1 (2) If paragraph (1) is inapplicable, to the aloha aina
2 land trust.

3 **§171-C Reservation of uses.** (a) Transferred lands shall
4 be used solely and exclusively for the following purposes:

5 (1) Ecological rehabilitation, restoration, and
6 remediation;

7 (2) Regenerative agriculture systems that support local
8 food production and environmental sustainability;

9 (3) Educational and cultural purposes; and

10 (4) Community purposes.

11 (b) Commercial uses that do not directly support the
12 purposes enumerated in subsection (a) shall be strictly
13 prohibited.

14 **§171-D Aloha aina land trust; established.** (a) There is
15 established within the department the aloha aina land trust.

16 (b) The aloha aina land trust shall consist of seven
17 trustees to be appointed by the governor in the manner and to
18 serve for the terms provided in section 26-34; provided that:

19 (1) One trustee shall be the chairperson of the board of
20 land and natural resources, ex officio;



1 (2) One trustee shall be a trustee or representative of
2 the office of Hawaiian affairs;

3 (3) One trustee shall have extensive professional
4 experience in ecological rehabilitation, restoration,
5 and remediation;

6 (4) One trustee shall have extensive professional
7 experience in regenerative agriculture; and

8 (5) One trustee shall have extensive professional
9 experience in educational and cultural programming.

10 (c) The governor shall designate the chairperson from
11 among the trustees.

12 (d) The trustees shall serve without pay but shall be
13 reimbursed for their actual and necessary expenses, including
14 travel expenses, incurred in carrying out their duties.

15 (e) Any action taken by the trust shall be approved by a
16 simple majority of its trustees. Four trustees shall constitute
17 a quorum to do business.

18 **§171-E Aloha aina land trust; responsibilities and duties.**

19 The aloha aina land trust shall:

20 (1) Collaborate with Native Hawaiian organizations and
21 local communities to guide the rehabilitation of



- 1 transferred lands and ensure the sustainable
2 management of transferred lands;
- 3 (2) Rehabilitate, restore, and remediate transferred lands
4 that were affected by their use by the United States
5 military;
- 6 (3) Undertake ecological restoration and remediation
7 projects that focus on reforesting native species,
8 restoring wetlands, and improving watersheds and
9 enabling the sustainability of the land;
- 10 (4) Prioritize community-led stewardship to empower local
11 residents and Native Hawaiian practitioners to manage
12 and care for transferred lands;
- 13 (5) Promote regenerative agricultural systems that support
14 local food production and environmental
15 sustainability;
- 16 (6) Support the integration of indigenous knowledge and
17 traditional practices into the management of
18 transferred lands; and
- 19 (7) Establish educational and cultural programs to engage
20 students and communities in the rehabilitation and
21 sustainable use of transferred lands, including by



1 offering hands-on learning experiences tied to
2 Hawaiian cultural values.

3 **§171-F Rules.** The department shall adopt rules pursuant
4 to chapter 91 to implement this part.

5 **§171-G Transfer.** Each parcel of transferred land that is
6 transferred to the aloha aina land trust and was classed as
7 government or crown lands previous to August 15, 1895, shall be
8 held in trust as part of the public land trust; provided that
9 the State shall transfer management and control of such lands to
10 the sovereign native Hawaiian entity upon its recognition by the
11 United States and the State of Hawaii.

12 All terms, conditions, agreements, and laws affecting such
13 lands, including any ongoing obligations relating to the clean-
14 up of such lands, shall remain in effect unless expressly
15 terminated."

16 SECTION 2. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so
18 much thereof as may be necessary for fiscal year 2025-2026 and
19 the same sum or so much thereof as may be necessary for fiscal
20 year 2026-2027 for the aloha aina land trust to rehabilitate and
21 manage lands transferred to the aloha aina land trust pursuant



1 to section 171-B(b) (2), Hawaii Revised Statutes, established by
2 section 1 of this Act.

3 The sums appropriated shall be expended by the department
4 of land and natural resources for the purposes of this Act.

5 SECTION 3. This Act shall take effect upon its approval;
6 provided that section 2 of this Act shall take effect on July 1,
7 2025.

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INTRODUCED BY:


A handwritten signature in black ink, appearing to read "Mike Hubbard", is written over a horizontal line.



S.B. NO. 1193

Report Title:

Land Restoration; Aloha Aina Land Trust; Appropriation

Description:

Creates the Aloha Aina Land Trust to rehabilitate and manage lands transferred by the United States military to the State after the leases for those lands expires. Appropriates funds.

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