

S.B. NO. 1459

JAN 23 2025

A BILL FOR AN ACT

RELATING TO HOMELESS ENCAMPMENTS ON DEPARTMENT OF LAND AND
NATURAL RESOURCES LANDS.

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

1 SECTION 1. The department of land and natural resources
2 manages public lands including, on O‘ahu: Diamond Head State
3 Monument, which hosts over a million visitors a year; and
4 Hāmākua and Kawainui Marsh Wildlife Sanctuaries, where some of
5 the first Hawaiians are thought to have lived. Neighbor Island
6 sites include the Kahulu Boat Ramp and unencumbered lands along
7 the Honoapiilani Highway on Maui; Wailoa Harbor, Kailua Pier,
8 and parts of downtown Hilo on Hawaii Island; and unencumbered
9 lands in Kapa‘a and Wailua on Kaua‘i. Homeless encampments can
10 be found at all of these places and on other less prominent
11 lands, and the department is responsible for their clean-up,
12 including the removal of waste and other debris that is often
13 associated with their presence. These clean-ups are crucial to
14 restore department lands, to help lessen potential hazards to
15 human health, and to reduce potential damage to public trust
16 resources.

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1 In fiscal year 2024-2025, cleaning up after homeless
2 encampments on lands managed by the department of land and
3 natural resources is expected to cost the State approximately
4 \$3,000,000. For fiscal year 2023-2024, the department, with
5 help from the Hawaii department of transportation, cleaned up
6 homeless encampments comprised of approximately 223 people in
7 twenty-four locations on the department of land and natural
8 resources' lands. At least 129 days were spent cleaning
9 department properties for this purpose. Many of these efforts
10 have occurred as multi-day clean-ups because of the amount of
11 waste and debris or the size of the encampment. For example, at
12 Diamond Head, it takes approximately four days to clean the
13 entire property after the removal of homeless encampments; and
14 for a single clean-up effort in 2024 near Kalihi Stream on
15 O'ahu, approximately one month of labor cost the department
16 approximately \$1,000,000, in-part because the number of
17 individuals needed to perform the work was nearly double the
18 number usually needed for a standard large clean-up (e.g.,
19 Diamond Head) to approximately thirty-to-fifty individuals each
20 day, and also due to costs such as for renting three forty-foot
21 trash bins per day and dump-site fees. In the past, funding for
22 these clean-ups on department lands statewide was appropriated

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1 to the department of human services and then transferred to the
2 Hawaii department of transportation, which handled procurement
3 and management of the work. However, the department of human
4 services did not include funding for statewide homeless
5 encampment cleanups that cover lands managed by the department
6 of land and natural resources in its budget request for fiscal
7 year 2023-2024. The department of human services is not
8 expected to include this funding in its budget requests moving
9 forward. To avoid re-directing crucial operating funds to cover
10 the clean-up costs associated with homeless encampments on its
11 lands, the department of land and natural resources requires
12 additional funds. The purpose of this Act is to provide
13 dedicated funding to the department for this purpose.

14 SECTION 2. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$2,500,000 or so much
16 thereof as may be necessary for fiscal year 2025-2026 and the
17 same sum or so much thereof as may be necessary for fiscal year
18 2026-2027 to carry out the purposes of this Act.

19 The sums appropriated shall be expended by the department
20 of land and natural resources.

21 SECTION 3. Beginning with fiscal biennium 2027 to 2029 and
22 each biennium thereafter, the department of land and natural

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1 resources shall include in its annual budget request line-item
2 funding to cover the clean-up costs associated with homeless
3 encampments on its lands.

4 SECTION 4. This Act, upon its approval, shall take effect
5 on July 1, 2025.

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INTRODUCED BY: 

8

BY REQUEST

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Report Title:

DLNR; State Lands; Homeless Encampments; Clean-ups;
Appropriation

Description:

Appropriates funds to the Department of Land and Natural Resources to cover its work cleaning up after the removal of homeless encampments on state lands under the Department's control.

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

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO HOMELESS ENCAMPMENTS ON DEPARTMENT OF LAND AND NATURAL RESOURCES LANDS.

PURPOSE: To appropriate funds to the Department to conduct its clean-up work associated with homeless encampments, including the removal and storage of homeless individuals' property, on state lands managed by the Department.

MEANS: Appropriate general funds.

JUSTIFICATION: The Department is responsible for the management of many of the State's iconic properties, including Diamond Head State Monument on O'ahu; unencumbered lands on Maui; and Kailua Pier on Hawaii Island. These places are all impacted by the presence of homeless encampments. Impacts can range from associated waste and debris being spread out and obstructing public walkways to damaged restrooms or other Department-maintained facilities. At times, the secondary impacts from these homeless encampments may also pose a danger to public health or public trust resources.

The costs associated with cleaning up various waste and debris and with storing the removed private property left behind by homeless individuals is significant. For example, one clean-up of Diamond Head cost the State approximately \$100,000 in fiscal year 2023-2024. In recent years, the Hawaii Department of Human Services (DHS) has funded statewide clean-ups of state lands through a contract procured by the Hawaii Department of Transportation. DHS has not included a funding request for statewide clean-up of state lands in its funding request this fiscal year, and we do not expect it to do so moving forward. This

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means that the Department will become responsible for funding the necessary work associated with clean-up of homeless encampments on Department lands using existing operating funds, which are needed for other important purposes.

Impact on the public: On average, the Department receives two complaints about the presence homeless persons on lands it manages per week. These complaints are made by legislators, individuals, and other organizations, and they reference lands under the Department's jurisdiction across the State. The public is affected by homelessness on many levels and expects the Department to address the impacts of homeless encampments on its lands. Appropriating dedicated funds to the Department for this purpose will help the Department meet these expectations.

Impact on the department and other agencies: The Department requires adequate funds to conduct this crucial work of cleaning up its lands after the removal of homeless encampments. Not implementing this bill will mean that the Department will have to divert crucial operating funds to continue this work, thereby reducing the Department's ability to adequately manage important public trust resources under its jurisdiction.

GENERAL FUND: \$2,500,000 for fiscal year 2025-2026.
\$2,500,000 for fiscal year 2026-2027.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: LNR 906.

OTHER AFFECTED AGENCIES: Hawaii Department of Transportation, City and County of Honolulu, County of Maui, County of Hawaii, County of Kauai.

EFFECTIVE DATE: July 1, 2025.

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