
HOUSE RESOLUTION

URGING THE GOVERNOR TO PROTECT THE STATE PUBLIC LAND TRUST AND
NATIVE HAWAIIAN RIGHTS, WITH THE UNDERSTANDING THAT THE
LEGISLATURE IS PREPARED TO TAKE ACTION IF THE FEDERAL
GOVERNMENT INITIATES CONDEMNATION PROCEEDINGS AGAINST STATE
LANDS.

1 WHEREAS, in 1993, the United States Congress enacted Public
2 Law 103-150, also known as the Apology Resolution, acknowledging
3 the centennial of the illegal overthrow of the Kingdom of Hawaii
4 and recognizing the ongoing need for justice, healing, and
5 reconciliation with the Native Hawaiian people; and
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7 WHEREAS, lands held by the State of Hawaii, including ceded
8 lands, are held in public trust under the Organic Act of 1900,
9 Hawaii Admission Act, and articles XI and XII of the Hawaii
10 State Constitution, with a duty to conserve, protect, and manage
11 them for the benefit of all of Hawaii's people; and
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13 WHEREAS, military activities in Hawaii have historically
14 caused significant environmental and cultural harm, including
15 contamination of Oahu's drinking water because of fuel spills
16 and leaks from the Red Hill Bulk Fuel Storage Facility, military
17 bombing of and destruction of resources on Kahoolawe, and fuel
18 spills on Haleakala on Maui; and
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20 WHEREAS, over the years, the State has provided various
21 statutory benefits, exemptions, and privileges to members of the
22 United States armed forces and their dependents, while the
23 federal government has, in many cases, under-reimbursed the
24 State with compensatory impact aid; and
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26 WHEREAS, the initiation of condemnation proceedings against
27 state lands by the federal government would materially impair
28 the State's ability to fulfill its constitutionally mandated
29 responsibilities to protect the public land trust and Native
30 Hawaiian rights; and



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2 WHEREAS, the initiation of condemnation proceedings against
3 state lands by the federal government is also inconsistent with
4 the Apology Resolution and the State's constitutional
5 obligations to its people and the environment; and
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7 WHEREAS, this body stands united in protecting the public
8 land trust and Native Hawaiian rights and affirms its
9 determination to take all lawful steps, including a reassessment
10 of statutory benefits for military personnel and their families,
11 to ensure that these constitutional obligations are upheld; now,
12 therefore,
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14 BE IT RESOLVED by the House of Representatives of the
15 Thirty-third Legislature of the State of Hawaii, Regular Session
16 of 2026, that the Governor is urged to protect the state public
17 land trust and Native Hawaiian rights, with the understanding
18 that this body is prepared to take action if the federal
19 government initiates condemnation proceedings against state
20 lands; and
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22 BE IT FURTHER RESOLVED that the Governor is urged to
23 protect the public land trust and Native Hawaiian rights and to
24 take action, including introducing legislation to repeal certain
25 statutory provisions of the Hawaii Revised Statutes, if the
26 federal government initiates condemnation proceedings against
27 state lands; and
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29 BE IT FURTHER RESOLVED that the Governor is urged to submit
30 for introduction and to support, advocate, and approve
31 legislation that suspends or repeals the following provisions of
32 the Hawaii Revised Statutes:
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- 34 (1) Section 29-25, Hawaii Revised Statutes: Federal impact
35 aid received by the Department of Education;
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37 (2) Section 78-1(c), Hawaii Revised Statutes: Residency
38 exemptions for military dependents;
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40 (3) Section 88-55.5, Hawaii Revised Statutes: Exemption of
41 Hawaii National Guard members from mandatory
42 enrollment in the Employees' Retirement System;



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- (4) Chapter 88, Part I, Subpart E (sections 88-132, 88-132.5, 88-134, 88-135, 88-140, 88-141, Hawaii Revised Statutes) and related sections (sections 88-272, 88-321, 88-322, 88-323, 88-324, Hawaii Revised Statutes), Hawaii Revised Statutes: Special retirement classifications and credited service for military members;
- (5) Sections 134-2(g)(4) and 134-9(e)(3), Hawaii Revised Statutes: Recognition of military firearms instruction for permits;
- (6) Sections 183D-22(b)(1) and 188-72(a), Hawaii Revised Statutes: Reduced hunting and marine fishing license fees for active-duty military and families;
- (7) Sections 201H-49(a), 201H-71, and 206E-284(e), Hawaii Revised Statutes: Housing-related exemptions and bond authorizations benefiting military personnel;
- (8) Sections 231-15.8, 235-100, 235-100.5, and 249-6.5, Hawaii Revised Statutes: Tax deferrals, abatements, and exemptions for military members;
- (9) Sections 286-106.5, 286-107(f) and (g), and 286-235.5, Hawaii Revised Statutes: Driver's license accommodations and commercial license exemptions for military members and dependents;
- (10) Sections 302A-121(e), 302A-1101(c), 302A-627, 302A-1404(b), 304A-102, 304A-502, 304A-802, and Chapter 311D, Hawaii Revised Statutes: Education benefits, tuition waivers, teacher service credit, and military representation;
- (11) Sections 329-4, 431:2-201.8, 431:8-327(g), 431:9A-107(d), 431:9A-111(a)(3), 431:9A-124(g), and 431:10C-119(c), Hawaii Revised Statutes: Insurance, licensure extensions, and coordination with military agencies;



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- 1 (12) Sections 436B-14.5, 436B-14.6, 436B-14.7, 440E-26,
2 457-9.2(c)(2), 461-8(d)(2), 461J-10.14(d), 464-
3 9(d)(6)(A), and 471-9(g), Hawaii Revised Statutes:
4 Professional license restoration, reciprocity, and
5 exemptions for military personnel and spouses;
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- 7 (13) Sections 476-26, 480J-2(a)(4), 481B-16, 486N-7.5,
8 514B-98.5(b)(2), 514B-146.5(c)(2), 516-33(a)(2), and
9 521-83, Hawaii Revised Statutes: Consumer protections,
10 contract terminations, and rental exemptions for
11 military members; and
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- 13 (14) Section 605-13, Chapter 657D, and Section 702-232,
14 Hawaii Revised Statutes: Legal representation for
15 service members, civil relief for state military
16 forces, and affirmative defense for acts performed
17 pursuant to superior orders; and
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19 BE IT FURTHER RESOLVED that the Governor is urged to
20 provide timely written public notice to this body and the people
21 of Hawaii if condemnation proceedings are initiated by the
22 federal government; and
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24 BE IT FURTHER RESOLVED that certified copies of this
25 Resolution be transmitted to the United States Secretary of
26 Defense, Hawaii's Congressional delegation, and Governor.
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OFFERED BY: *Tim Coakley*
MAR 16 2026

