
A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.

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

1 SECTION 1. The legislature finds that the waiting period
2 for native Hawaiians to be placed on Hawaiian home lands is
3 extremely long due in large part to the delay caused by the
4 process of funding, planning, designing, and constructing
5 utility infrastructure for vacant undeveloped lots. The
6 legislature further finds that many native Hawaiians on the
7 waiting list are willing and able to provide for themselves if
8 given the opportunity to develop the land that they are entitled
9 to occupy.

10 The purpose of this Act is to more quickly place eligible
11 native Hawaiians on Hawaiian home lands, without having to wait
12 for development infrastructure to be built, while still meeting
13 basic habitation requirements and pertinent federal regulations.

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

17 "§ . Authority to live on a homestead lot in a temporary
18 structure. (a) The department may allow a Hawaiian home lands



1 lessee to settle on a vacant homestead lot that has already been
 2 awarded to the lessee in a temporary structure for up to five
 3 years after the lot award date while a legal, permitted, and
 4 permanent dwelling is being constructed. The temporary
 5 structure shall meet basic habitation requirements, including
 6 the provision of potable water and toilet facilities. The
 7 construction of the legal, permitted, and permanent dwelling
 8 shall be completed within five years of the lease award date.

9 (b) For purposes of this section, "temporary structure":

10 (1) Means facilities intended for temporary residential
 11 use;

12 (2) Includes:

13 (A) Mobile homes;

14 (B) Yurts;

15 (C) Structures that employ indigenous native Hawaiian
 16 architectural practices, styles, customs,
 17 techniques, and materials pursuant to section
 18 46-1.55, Hawaii Revised Statutes;

19 (D) Pre-fabricated homes; and

20 (E) Container homes; and

21 (3) Excludes:

22 (A) Motor vehicles other than mobile homes; and



- 1 (B) Tents intended for short-term camping.
- 2 (c) Settlement and habitation in a temporary structure
- 3 pursuant to this section shall be prohibited unless accompanied
- 4 by ongoing construction of a legal, permitted, and permanent
- 5 dwelling. A legal, permitted, and permanent dwelling shall:
- 6 (1) Comply with:
- 7 (A) The applicable county building code and building
- 8 permitting requirements; or
- 9 (B) Indigenous native Hawaiian architecture
- 10 practices, styles, customs, techniques, and
- 11 materials, as described in section 46-1.55,
- 12 Hawaii Revised Statutes; or
- 13 (2) Be approved and permitted by the department.
- 14 (d) The department shall adopt rules under chapter 91,
- 15 Hawaii Revised Statutes, to effectuate the purposes of this
- 16 Act."

17 SECTION 3. The department of Hawaiian home lands shall

18 conduct a public awareness campaign to educate affected

19 communities about the provisions of this Act.

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2012.

Report Title:

DHHL; Homestead Lot; Temporary Housing

Description:

Authorizes DHHL to allow a Hawaiian home lands lessee to settle on a vacant homestead lot that has already been awarded to the lessee, subject to conditions. Requires DHHL to conduct a public awareness campaign to educate affected communities.
(SD2)

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