

S.B. NO. 2793

JAN 25 2012

A BILL FOR AN ACT

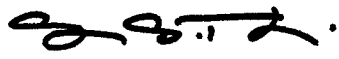
RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.

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

1 SECTION 1. Section 207, Hawaiian Homes Commission Act,
2 1920, as amended, is amended by amending subsection (b) to read
3 as follows:
4 "(b) The title to lands so leased shall remain in the
5 State. Applications for tracts shall be made to and granted by
6 the department, under such regulations, not in conflict with any
7 provisions of this title, as the department may prescribe.
8 Notwithstanding any rule to the contrary, the chairman, with
9 unanimous consent from the commission may award a lease to any
10 native Hawaiian with an original application date of not less
11 than twenty years from the date of the approval. The department
12 shall, whenever tracts are available, enter into such a lease
13 with any applicant who, in the opinion of the department, is
14 qualified to perform the conditions of such lease."
15 SECTION 2. New statutory material is underscored.
16 SECTION 3. This Act shall take effect on July 1, 2012.
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INTRODUCED BY: 

2

BY REQUEST

S.B. NO. 2793

Report Title:

Hawaiian Homes Commission Act; Administration

Description:

Allows the chairman, with unanimous consent of the commission, to suspend administrative rules for the purpose of awarding a lease to a native Hawaiian who has been on the waitlist for at least twenty years.

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: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.

PURPOSE: To allow the chairman, with unanimous consent of the commission, to suspend administrative rules for the purpose of awarding a lease to a native Hawaiian who has been on the waitlist for at least twenty years.

MEANS: Amend section 207(b) of the Hawaiian Homes Commission Act, 1920, as amended.

JUSTIFICATION: As the department develops varied homestead products to meet the needs of its longest-waiting applicants, the ability to suspend certain provisions of the Hawaiian Homes Commission Act and the department's administrative rules can eliminate barriers that have prevented Hawaiian Home Lands applicants from receiving a homestead lease. This measure targets these applicants who have been on the waiting list for at least 20 years who may otherwise never be able to accept a lease award. Further, the intended outcome of this measure is consistent with the guiding principles of the Housing, Families, and Human Services goals of "A New Day in Hawaii" because it enables the department to contribute to the investment of Hawaii's people and improved physical and social health of the native Hawaiian community. This bill is also aligned with the governor's commitment to support Native Hawaiians in controlling their own destiny and managing their own resources.

Impact on the public: None.

Impact on the Department and other agencies:
This flexibility allows the department to better respond to and address the needs of Hawaiian Home Lands applicants.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION:

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: July 1, 2012.