
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
EXPAND ITS INTERPRETATION OF THE USE PROVISION IN HANA
HEALTH'S LAND LEASE.

1 WHEREAS, the Hana District, on the island of Maui, has one
2 of the poorest health profiles in Hawaii and is federally
3 designated as a medically underserved community; and
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5 WHEREAS, the Hana District, often referred to as the "last
6 Hawaiian place", is one of the most isolated areas in Hawaii;
7 and
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9 WHEREAS, Hana Health is a federally qualified health center
10 that provides healthcare services to the people of the Hana
11 District, regardless of their ability to pay; and
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13 WHEREAS, Hana Health operates facilities on two parcels of
14 land, both of which are owned by the State and have been leased
15 to Hana Health for fifty-five years at \$1 per year; and
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17 WHEREAS, the Department of Land and Natural Resources has
18 interpreted the use provision in Hana Health's land lease to
19 prohibit income generating activities and certain ancillary
20 programs offered by Hana Health; and
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22 WHEREAS, the Department of Land and Natural Resources'
23 restrictive interpretation of Hana Health's land lease is not
24 supported by the language of the lease, Hana Health's articles
25 of incorporation, or state or federal law; and
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27 WHEREAS, the Department of Land and Natural Resources'
28 interpretation of the land lease inhibits Hana Health's efforts
29 to become self-sustaining and less reliant on public funds; now,
30 therefore,
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H.C.R. NO. 168

1 BE IT RESOLVED by the House of Representatives of the
2 Twenty-sixth Legislature of the State of Hawaii, Regular Session
3 of 2012, the Senate concurring, that the Department of Land and
4 Natural Resources is requested to expand its interpretation of
5 the use provision in Hana Health's land lease to include income
6 generating activities and ancillary programs as permissible
7 uses; and

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9 BE IT FURTHER RESOLVED that certified copies of this
10 Concurrent Resolution be transmitted to the Governor; the
11 Chairperson of the Board of Land and Natural Resources; the
12 Mayor of Maui County; and the Executive Director of Hana Health.

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OFFERED BY: *Mele Carroll*

MAR 14 2012

