
HOUSE RESOLUTION

REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT ITSELF IN AN OPEN AND TRANSPARENT MANNER BY PROVIDING DOCUMENTATION OF ITS ACTIONS REGARDING LANDS RECEIVED PURSUANT TO ACT 15, SESSION LAWS OF HAWAII 2012, AND URGING THE OFFICE OF HAWAIIAN AFFAIRS TO CONDUCT ITS ACTIONS WITH REGARD TO THE LANDS RECEIVED IN AN OPEN AND TRANSPARENT MANNER.

1 WHEREAS, in 1978, the Constitution of the State of Hawaii
2 was amended to include sections 5 and 6 of Article XII, which
3 established the Office of Hawaiian Affairs and its Board of
4 Trustees; and

5
6 WHEREAS, the 1978 constitutional amendment also added
7 section 4 to Article XII, which established that the lands
8 granted to the State of Hawaii by Section 5(b) of the Admission
9 Act and pursuant to section 7 of Article XVI of the State
10 Constitution, excluding lands defined as "available lands" by
11 Section 203 of the Hawaiian Homes Commission Act of 1920, are
12 required to be held by the State as a public trust for native
13 Hawaiians and the general public; and

14
15 WHEREAS, Act 15, Session Laws of Hawaii 2012, effectively
16 and responsibly fulfilled the State's constitutional obligation
17 to give effect to the right of native Hawaiians to benefit from
18 the ceded lands trust by conveying certain public lands located
19 in Kakaako, Oahu, to the Office of Hawaiian Affairs, with
20 respect to their share, income, and proceeds from the public
21 land trust lands from November 7, 1978, to June 30, 2012; and

22
23 WHEREAS, Act 15, Session Laws of Hawaii 2012, represented a
24 joint recommendation as to the policy that the Legislature
25 should adopt to satisfy the State's constitutional obligations
26 to native Hawaiians under sections 4 and 6 of Article XII of the
27 Hawaii State Constitution for the period between November 7,
28 1978, to June 30, 2012; and

29
30 WHEREAS, Act 15, Session Laws of Hawaii 2012, conveyed to
31 the Office of Hawaiian Affairs as grantee as of July 1, 2012,



1 the following parcels of lands with the existing improvements
2 thereon, but not including submerged land, accreted land, or any
3 land makai of the shoreline:

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5 (1) Lots 1, 2, 3, 4, 5, 6 (portion), and 9 of File Plan
6 2471 filed at the Bureau of Conveyances, State of
7 Hawaii, on February 23, 2010;

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9 (2) TMK (1) 2-1-15-61; and

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11 (3) TMK (1) 2-1-15-51; and

12
13 WHEREAS, the lands transferred to the Office of Hawaiian
14 Affairs pursuant to Act 15, Session Laws of Hawaii 2012,
15 expressly remain under the jurisdiction and authority of the
16 Hawaii Community Development Authority with respect to zoning,
17 land use conditions, and all other matters over which the Hawaii
18 Community Development Authority has jurisdiction and authority
19 to act; and

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21 WHEREAS, the Office of Hawaiian Affairs has expressed an
22 interest in developing some of the lands it received pursuant to
23 Act 15, Session Laws of Hawaii 2012; now, therefore,

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25 BE IT RESOLVED by the House of Representatives of the
26 Twenty-seventh Legislature of the State of Hawaii, Regular
27 Session of 2014, that the Office of Hawaiian Affairs is
28 requested to conduct itself in an open and transparent manner by
29 providing documentation to the Legislature detailing how it has
30 utilized the parcels of land conveyed to it pursuant to Act 15,
31 Session Laws of Hawaii 2012; and

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33 BE IT FURTHER RESOLVED that the Office of Hawaiian Affairs
34 is requested to provide documentation to the Legislature
35 detailing the parties with whom it has worked with regard to its
36 plans to develop the parcels of land conveyed to it pursuant to
37 Act 15, Session Laws of Hawaii 2012; and

38
39 BE IT FURTHER RESOLVED that the Office of Hawaiian Affairs
40 is urged to conduct its actions with regard to the lands



1 conveyed to it pursuant to Act 15, Session Laws of Hawaii 2012,
2 in an open and transparent manner; and

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4 BE IT FURTHER RESOLVED that certified copies of this
5 Resolution be transmitted to the Chairperson of the Board of
6 Trustees of the Office of Hawaiian Affairs and the Executive
7 Director of the Hawaii Community Development Authority.

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OFFERED BY:

Karen Curran

Mel Carroll

Hakulama

Opposite

Cindy Evans

MAR 07 2014

