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# 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, is amended by amending subsection (a) to read as follows:

3           "(a) The department [~~is authorized to~~] may lease to native  
4 Hawaiians the right to the use and occupancy of a tract or  
5 tracts of Hawaiian home lands [~~within the following acreage~~  
6 ~~limits per each lessee: (1) not more than forty acres of~~  
7 ~~agriculture lands or lands used for aquaculture purposes; or (2)~~  
8 ~~not more than one hundred acres of irrigated pastoral lands and~~  
9 ~~not more than one thousand acres of other pastoral lands; or (3)~~  
10 ~~not more than one acre of any class of land to be used as a~~  
11 ~~residence lot;] :~~

12           (1) For agricultural purposes, including farming,  
13           regardless of whether those purposes are for-profit or  
14           non-profit; provided that the availability of leases  
15           for these purposes shall depend on the availability of  
16           suitable tracts of land;



- 1        (2) For aquacultural purposes; provided that no lessee may  
2        lease more than forty acres of land for these  
3        purposes;
- 4        (3) That are irrigated for pastoral purposes; provided  
5        that no lessee may lease more than one hundred acres  
6        of these lands;
- 7        (4) That are other pastoral lands; provided that no lessee  
8        may lease more than one thousand acres of these lands;  
9        or
- 10       (5) For a residential lot; provided that no lessee may  
11       lease more than one acre of land for this purpose;  
12       provided further that in the case of any existing lease of a  
13       farm lot [~~in the Kalaniana'ole Settlement~~] on Molokai, a  
14       residence lot may exceed one acre but shall not exceed four  
15       acres in area, the location of such area to be selected by the  
16       department; provided further that a lease granted to any lessee  
17       may include two detached farm lots or aquaculture lots, as the  
18       case may be, located on the same island and within a reasonable  
19       distance of each other, one of which, to be designated by the  
20       department, shall be occupied by the lessee as the lessee's  
21       home, the gross acreage of both lots not to exceed the maximum



1 acreage of an agricultural, pastoral, or aquacultural lot, as  
2 the case may be, as provided in this section."

3 SECTION 2. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 3. The provisions of the amendments made by this  
7 Act to the Hawaiian Homes Commission Act, 1920, as amended, are  
8 declared to be severable, and if any section, sentence, clause,  
9 or phrase, or the application thereof to any person or  
10 circumstances is held ineffective because there is a requirement  
11 of having the consent of the United States to take effect, then  
12 that portion only shall take effect upon the granting of consent  
13 by the United States and effectiveness of the remainder of these  
14 amendments or the application thereof shall not be affected.

15 SECTION 4. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on May 6, 2137, with  
18 the consent of the United States Congress.



**Report Title:**

Department of Hawaiian Home Lands; Lessees; Agriculture;  
Farming; Acreage

**Description:**

Removes acreage restrictions on leases of Hawaiian home lands for agricultural purposes. Provides that the availability of the foregoing leases shall be subject to the availability of suitable tracts of land. Specifies that the foregoing leases may be for for-profit or non-profit purposes. Effective date is May 6, 2037. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

