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# HOUSE RESOLUTION

REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO IMPOSE A  
MORATORIUM ON THE DISPOSITION OF PUBLIC LAND IN FEE SIMPLE  
UNTIL 2010.

1           WHEREAS, section 4 of article XII of the state constitution  
2 provides the following:

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4           "The lands granted to the State of Hawaii by Section 5(b)  
5 of the Admission Act and pursuant to Article XVI, Section  
6 7, of the State Constitution, excluding therefrom lands  
7 defined as "available lands" by Section 203 of the Hawaiian  
8 Homes Commission Act, 1920, as amended, shall be held by  
9 the State as a public trust for native Hawaiians and the  
10 general public."; and

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12           WHEREAS, once disposed of in fee simple, public lands and  
13 the benefits thereof are lost to the people of Hawaii and the  
14 generations following forever; and

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16           WHEREAS, it is the responsibility of the State to maintain  
17 all public lands, water, and other natural resources for the  
18 people of Hawaii in perpetuity; and

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20           WHEREAS, there should be a review of the disposition in fee  
21 simple of all or certain classes of public lands; now,  
22 therefore,

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24           BE IT RESOLVED by the House of Representatives of the  
25 Twenty-third Legislature of the State of Hawaii, Regular Session  
26 of 2006, that the Board of Land and Natural Resources is  
27 requested to impose a moratorium on the disposition of all  
28 public lands in fee simple until July 1, 2010; and

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30           BE IT FURTHER RESOLVED that the Board of Land and Natural  
31 Resources is requested to:

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33           (1) Establish an inventory of all public lands by type of  
34 land classification;



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- (2) Establish parameters for the disposition of any public lands in fee simple;
- (3) Recommend whether any of the lands in the public lands inventory may be disposed of in fee simple or whether certain lands or classification of lands should never be disposed of in fee simple; and
- (4) Assess the impact of the moratorium on the Board of Land and Natural Resources' land management policy; and

BE IT FURTHER RESOLVED that the Board of Land and Natural Resources is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature not later than twenty days prior to the convening of the Regular Session of 2010; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Chairperson of the Board of Land and Natural Resources.

OFFERED BY:  Tyler B. Berg

MAR 15 2006