

MAR 15 2006

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# SENATE CONCURRENT 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

11  
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

15  
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 Senate of the Twenty-third  
25 Legislature of the State of Hawaii, Regular Session of 2006, the  
26 House of Representatives concurring, that the Board of Land and  
27 Natural Resources is requested to impose a moratorium on the  
28 disposition of all public lands in fee simple until July 1,  
29 2010; and

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



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- 2 (1) Establish an inventory of all public lands by type of
- 3 land classification;
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- 5 (2) Establish parameters for the disposition of any public
- 6 lands in fee simple;
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- 8 (3) Recommend whether any of the lands in the public lands
- 9 inventory may be disposed of in fee simple or whether
- 10 certain lands or classification of lands should never
- 11 be disposed of in fee simple; and
- 12
- 13 (4) Assess the impact of the moratorium on the Board of
- 14 Land and Natural Resources' land management policy;
- 15 and
- 16

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

22  
23 BE IT FURTHER RESOLVED that a certified copy of this  
24 Concurrent Resolution be transmitted to the Chairperson of the  
25 Board of Land and Natural Resources.

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28 OFFERED BY: Guy L. Hoar

