

MAR 10 2010

SENATE CONCURRENT RESOLUTION

APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE
UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII.

1 WHEREAS, private, non-ceded lands in Kapolei were donated
2 by the Campbell Estate to the University of Hawaii to build the
3 University of Hawaii-West Oahu campus; and
4

5 WHEREAS, the private, non-ceded lands were donated on the
6 specific conditions that a campus would be built that
7 accommodates at least 2,750 students and that construction would
8 begin by December 31, 2011, otherwise the lands would revert to
9 the Campbell Estate; and
10

11 WHEREAS, one method of quickly raising funds to finance the
12 construction would be to sell in fee simple portions of the
13 outlying areas of the donated lands that are situated around the
14 proposed site of the new Kapolei campus, and to use the proceeds
15 from the sale of those adjoining lands to finance construction
16 costs; and
17

18 WHEREAS, a current impediment to selling any state-owned
19 lands in fee simple, whether the lands are ceded or not ceded,
20 is Act 176, Session Laws of Hawaii 2009, which requires the
21 prior approval of the Legislature by concurrent resolution to
22 sell certain state land in fee simple and applies to land which
23 the University of Hawaii holds title; and
24

25 WHEREAS, Act 176 establishes procedural requirements that
26 might delay the sale of those lands adjoining the new Kapolei
27 campus, which in turn might hopelessly delay construction of the
28 new campus until after the end of 2011; and
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30 WHEREAS, Act 176, appears to have created unintended
31 operational difficulties for state agencies that need to sell or
32 gift state-owned lands in a timely and efficient manner; and



S.C.R. NO. 203

1
 2 WHEREAS, the University of Hawaii desires to sell in fee
 3 simple certain non-ceded lands adjoining the site of the campus
 4 to raise the funds in order to construct the campus,
 5 notwithstanding the requirements of Act 176, Session Laws of
 6 Hawaii 2009, and to comply with the conditions running with the
 7 donated lands; now, therefore,

8
 9 BE IT RESOLVED by the Senate of the Twenty-fifth
 10 Legislature of the State of Hawaii, Regular Session of 2010, the
 11 House of Representatives concurring, that any fee simple sale by
 12 the University of Hawaii of the non-ceded lands owned by the
 13 University of Hawaii situated around the Kapolei campus is
 14 hereby approved, notwithstanding any other procedural
 15 requirements of Act 176, Session Laws of Hawaii 2009; and
 16

17 BE IT FURTHER RESOLVED that certified copies of this
 18 Concurrent Resolution be transmitted to the Chairperson of the
 19 Board of Regents of the University of Hawaii and the President
 20 of the University of Hawaii.
 21
 22
 23

OFFERED BY: _____

A handwritten signature is written over a horizontal line. To the right of the signature, the initials "B/K" are written.

