

MAR 10 2010

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## SENATE 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  
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34           WHEREAS, the University of Hawaii desires to sell in fee  
35 simple certain non-ceded lands adjoining the site of the campus



# S.R. NO. 102

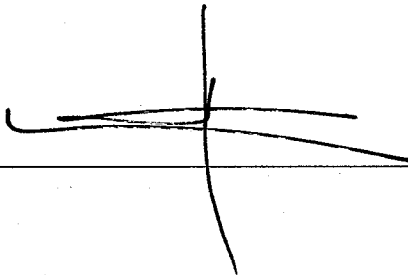
1 to raise the funds in order to construct the campus,  
2 notwithstanding the requirements of Act 176, Session Laws of  
3 Hawaii 2009, and to comply with the conditions running with the  
4 donated lands; now, therefore,

5  
6 BE IT RESOLVED by the Senate of the Twenty-fifth  
7 Legislature of the State of Hawaii, Regular Session of 2010,  
8 that any fee simple sale by the University of Hawaii of the non-  
9 ceded lands owned by the University of Hawaii situated around  
10 the Kapolei campus is hereby approved, notwithstanding any other  
11 procedural requirements of Act 176, Session Laws of Hawaii 2009;  
12 and

13  
14 BE IT FURTHER RESOLVED that certified copies of this  
15 Resolution be transmitted to the Chairperson of the Board of  
16 Regents of the University of Hawaii and the President of the  
17 University of Hawaii.

18  
19  
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OFFERED BY:

 BK

