
A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Upon the effective date of this Act, title to
2 all lands under the control of the department of land and
3 natural resources designated as Sand Island pursuant to section
4 6E-36, Hawaii Revised Statutes, prior to the enactment of this
5 Act, shall be transferred to the Hawaii community development
6 authority.

7 SECTION 2. Upon the effective date of this Act, planning
8 and zoning authority shall be transferred from the city and
9 county of Honolulu to the Hawaii community development authority
10 for real property under the control of the city and county of
11 Honolulu located on Sand Island that was established by section
12 6E-36, Hawaii Revised Statutes, prior to the enactment of this
13 Act.

14 SECTION 3. All rights, powers, functions, and duties of
15 the department of land and natural resources or the city and
16 county of Honolulu are transferred to the Hawaii community
17 development authority.



1 SECTION 4. All appropriations, records, equipment,
2 machines, files, supplies, contracts, books, papers, documents,
3 maps, and other personal property made, used, acquired, or held
4 by the department of land and natural resources relating to the
5 functions transferred to the Hawaii community development
6 authority shall be transferred with the functions to which they
7 relate.

8 SECTION 5. All rules, policies, procedures, guidelines,
9 and other material adopted or developed by the department of
10 land and natural resources to implement provisions of the Hawaii
11 Revised Statutes and that are reenacted or made applicable to
12 the Hawaii community development authority, by this Act, shall
13 remain in full force and effect until amended or repealed by the
14 Hawaii community development authority pursuant to chapter 91,
15 Hawaii Revised Statutes. In the interim, every reference to the
16 department of land and natural resources or the chairperson of
17 the board of land and natural resources in those rules,
18 policies, procedures, guidelines, and other material is amended
19 to refer to the Hawaii community development authority or the
20 executive director of the Hawaii community development
21 authority, as appropriate.



1 SECTION 6. All deeds, leases, contracts, loans,
2 agreements, permits, or other documents executed or entered into
3 by or on behalf of the department of land and natural resources
4 pursuant to the provisions of the Hawaii Revised Statutes that
5 are reenacted or made applicable to the Hawaii community
6 development authority by this Act, shall remain in full force
7 and effect, unless affirmatively amended by the appropriate
8 agency, under due process. Upon the effective date of this Act,
9 every reference to the department of land and natural resources,
10 the chairperson of the board of land and natural resources,
11 therein shall be construed as a reference to the Hawaii
12 community development authority or the executive director of the
13 Hawaii community development authority, as appropriate.

14 SECTION 7. During the time between the enactment of this
15 Act and its effective date the department of land and natural
16 resources shall make no decisions on deeds, leases, contracts,
17 loans, agreements, permits or other documents unless the Hawaii
18 community development authority concurs.

19 SECTION 8. If any part of this Act is found to be in
20 conflict with federal requirements that are a prescribed
21 condition for the allocation of federal funds to the State, the
22 conflicting part of this Act is inoperative solely to the extent



1 of the conflict and with respect to the agencies directly.
2 affected, and this finding does not affect the operation of the
3 remainder of this Act in its application to the agencies
4 concerned. The rules in effect as a result of this Act shall
5 meet federal requirements that are a necessary condition to the
6 receipt of federal funds by the State.

7 SECTION 9. This Act shall take effect on July 1, 2011.

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INTRODUCED BY:

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JAN 25 2011



Report Title:

HCDA; Land Conveyance

Description:

Conveys ownership of state lands on Sand Island to the HCDA.

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