
A BILL FOR AN ACT

RELATING TO THE PUBLIC LAND DEVELOPMENT CORPORATION.

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

1 SECTION 1. Act 55, Session Laws of Hawaii 2011, codified
2 as chapter 171C, Hawaii Revised Statutes, established the public
3 land development corporation to be the development arm of the
4 department of land and natural resources, administer an
5 appropriate and culturally-sensitive public land development
6 program to help develop recreational and leisure centers for
7 residents and visitors, and create revenue-generating
8 opportunities to offset regulatory functions of the department
9 of land and natural resources.

10 However, some of the most controversial aspects of Act 55
11 were not allowed to be adequately vetted by the public. When
12 introduced, Act 55 did not provide exemptions from any
13 permitting or zoning laws. The only opportunity for
14 stakeholders to testify publicly on such proposed exemptions was
15 during the House Finance Committee hearing on April 7, 2011, at
16 2:30 PM. However, notice of that hearing was not posted until
17 12:35 PM on April 7, 2011, a mere two hours before the hearing



1 was to begin. Only two testifiers submitted testimony for the
2 hearing and both were marked as being submitted late.

3 Act 55 was ultimately amended to exempt the public land
4 development corporation from all statutes, ordinances, charter
5 provisions, and rules of government agencies relating to special
6 improvement district assessments or requirements; land use,
7 zoning, and construction standards for subdivisions,
8 development, and improvement of land; and the construction,
9 improvement, and sale of homes thereon for development of public
10 lands to generate revenues. Based upon concerns relating to the
11 expansive powers granted to the public land development
12 corporation and the exemptions to important environmental and
13 land use and other laws, many individuals and organizations on
14 all islands have expressed opposition to the corporation and
15 urged its repeal. The county councils of Hawaii, Kauai, and
16 Maui recently passed resolutions urging the abolishment of the
17 public land development corporation. Some neighborhood boards
18 on Oahu have also passed resolutions urging the repeal of Act
19 55.

20 The purpose of this Act is to repeal chapter 171C, Hawaii
21 Revised Statutes.



H.B. NO. 317

1 SECTION 2. Chapter 171C, Hawaii Revised Statutes, is
2 repealed.

3 SECTION 3. This Act shall take effect upon its approval.
4

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H.B. NO. 317

Report Title:

Public Land Development Corporation; Repeal

Description:

Repeals chapter 171C, HRS, relating to the public land development corporation.

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