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## HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO PROVIDE A REPORT TO THE LEGISLATURE REGARDING THE STATUS OF THE KA MAKANA ALII PROJECT AND ACT 187, SESSION LAWS OF HAWAII 2010.

1           WHEREAS, the State of Hawaii makes annual settlement  
2 payments to the Hawaiian Home lands Trust Fund in the amount of  
3 \$30,000,000 each year pursuant to Act 14, Special Session Laws  
4 of Hawaii 1995, for the resolution of controversies at law and  
5 in equity arising out of the management, administration,  
6 supervision, or disposition by the State of any Hawaiian home  
7 lands; and

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9           WHEREAS, the State's obligation to make the settlement  
10 payments pursuant to Act 14, Special Session Laws of Hawaii  
11 1995, will cease in 2015; and

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13           WHEREAS, Act 187, Session Laws of Hawaii 2010, as amended  
14 by Act 175, Session Laws of Hawaii 2012, authorized the  
15 Department of Hawaiian Home Lands, until June 30, 2015, to make  
16 one-time extensions of up to twenty years of commercial or  
17 multipurpose project leases to make improvements to the leased  
18 property, with all of the lease revenues deposited into the  
19 Hawaiian home administration account for the administrative  
20 expenses of the Department; and

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22           WHEREAS, the Department of Hawaiian Home Lands has been  
23 negotiating with DeBartolo Development, LLC, to build Ka Makana  
24 Alii, a large shopping mall, which may require an extended  
25 commercial lease; and

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27           WHEREAS, the Land Use Commission recently issued its  
28 decision and order, findings of fact, and conclusions of law  
29 regarding the reclassification of Hawaiian home lands for the Ka  
30 Makana Alii project; and

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32           WHEREAS, neither the Department of Hawaiian Home Lands nor  
33 DeBartolo Development, LLC, have provided updates to the



1 Legislature regarding the status of the Ka Makana Alii project;  
2 now, therefore,

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4 BE IT RESOLVED by the House of Representatives of the  
5 Twenty-seventh Legislature of the State of Hawaii, Regular  
6 Session of 2013, that the Department of Hawaiian Home Lands, in  
7 consultation with DeBartolo Development, LLC, is requested to  
8 provide a written report to the Legislature on the Ka Makana  
9 Alii project, including:

- 10  
11 (1) The status of the project;  
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13 (2) Any anticipated new partners for the project;  
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15 (3) The projected revenue stream for the project;  
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17 (4) The projected timeline for the project; and  
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19 (5) The terms of the development agreement or any other  
20 agreement with DeBartolo Development, LLC, that  
21 relates to the project and whether the parties to any  
22 such agreement are in compliance with its terms; and  
23

24 BE IT FURTHER RESOLVED that the Department of Hawaiian Home  
25 Lands is also requested to include in its report:

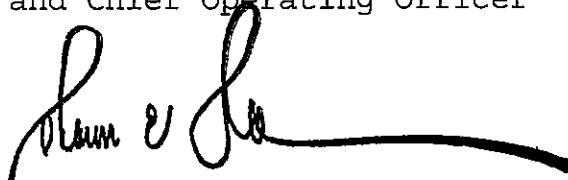
- 26  
27 (1) An update on the status and effect of Act 187, Session  
28 Laws of Hawaii 2010, as amended by Act 175, Session  
29 Laws of Hawaii 2012;  
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31 (2) The applicability of Act 187 to the Ka Makana Alii  
32 project; and  
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34 (3) Whether Act 187 should be extended or made permanent;  
35 and  
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37 BE IT FURTHER RESOLVED that the Department of Hawaiian Home  
38 Lands is requested to submit its findings and recommendations,  
39 including any proposed legislation, to the Legislature no later  
40 than six months following adjournment sine die of the 2013  
41 Regular Session; and  
42


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1 BE IT FURTHER RESOLVED that certified copies of this  
2 Resolution be transmitted to the Chairperson of the Hawaiian  
3 Homes Commission and the President and Chief Operating Officer  
4 of DeBartolo Development, LLC.  
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OFFERED BY:



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MAR 13 2013

