

JAN 18 2013

S.B. NO. 246

A BILL FOR AN ACT

RELATING TO LAND USE.

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

1 SECTION 1. The legislature finds that Act 282, Session
2 Laws of Hawaii 2012, among other things, transfers important
3 development rights of certain public lands to the public land
4 development corporation. In addition, Act 282 excludes lands
5 set aside for, leased to, or owned by the public lands
6 development corporation from the definition of and rules
7 applicable to public lands.

8 The legislature finds that the transfer of development
9 rights for public lands, accompanied by nearly unfettered
10 control over that development and management, raises serious
11 concerns. As of yet, the public land development corporation
12 has not established any governing rules or guiding principles.
13 Thus, the public is left to wonder how those lands will be
14 developed and whether the public will be afforded an opportunity
15 for input. The legislature finds that it is inappropriate to
16 extend so much power to an entity that effectively operates
17 outside of any meaningful oversight.



1 The legislature further finds that as with Act 55, Session
2 Laws of Hawaii 2011, which established the public land
3 development corporation, Act 282 was not adequately vetted by
4 the public. When introduced, the original language contained in
5 the bill that later became Act 282 did not transfer any land to
6 the public land development corporation, but established a
7 Honokohau marina development district to properly redevelop
8 Honokohau harbor and marina to serve the needs of the west
9 Hawaii community and to reduce the amount of pollution generated
10 in the marina area. The bill was drastically changed in a joint
11 hearing of the senate water, land, and housing committee and the
12 ways and means committee. The bill then went to a conference
13 committee and the public was never provided an opportunity to
14 vet the Act in its final form. The legislature believes that
15 the transfer of public lands without public input establishes a
16 bad precedent in public policy decision making.

17 The purpose of this Act is to repeal Act 282, Session Laws
18 of Hawaii 2012.

19 SECTION 2. Act 282, Session Laws of Hawaii 2012, is
20 repealed.



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

2

INTRODUCED BY:

James T. ...
...
...
Russell ...



S.B. NO. 246

Report Title:

Act 282, SLH 2012; Transfer of Honokohau Harbor to PLDC; Stadium Facilities Special Fund; Repeal

Description:

Repeals Act 282, Session Laws of Hawaii 2012, which: 1) transferred development rights of certain public lands to the PLDC; 2) exempted certain lands from the definition of public land; 3) created the stadium facilities special fund; and 4) allowed the PLDC to contract with state and county agencies for lease management services for PLDC-controlled land.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

