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# A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1           SECTION 1. The University of Hawaii acquired lands for the  
2 University of Hawaii at West Oahu through a land exchange  
3 approved in Act 294, Session Laws of Hawaii 1996. Subsequently,  
4 the University of Hawaii at West Oahu campus has grown and  
5 continues to grow according to the university's long-range  
6 development plans. However, the legislature finds that there  
7 remains significant acreage that could be used for revenue-  
8 generating purposes for the support of the University of Hawaii  
9 at West Oahu. As such, the legislature further finds that the  
10 disposition of such lands is an issue of statewide concern.

11           Accordingly, the purpose of this Act is to prohibit the  
12 sale or gift of the University of Hawaii at West Oahu land  
13 acquired pursuant to Act 294, Session Laws of Hawaii 1996,  
14 without the prior consent of the legislature.

15           SECTION 2. Section 304A-2166, Hawaii Revised Statutes, is  
16 amended by amending subsection (b) to read as follows:

17           "(b) The following shall be deposited into the special  
18 fund:



1 (1) Appropriations by the legislature to the special fund;

2 (2) All net proceeds from the sale of public lands, all  
3 net rents from leases, licenses, and permits, or all  
4 net proceeds derived from development rights for  
5 public lands:

6 (A) Proposed for large lot subdivision as a five  
7 hundred acre parcel and designated as Lot 10077  
8 in Land Court Application 1069; and

9 (B) Obtained from the Campbell Estate in the land  
10 exchange described in section 2 of Act 294,  
11 Session Laws of Hawaii 1996, located mauka of the  
12 H-1 Freeway and consisting of nine hundred forty-  
13 one acres, more or less; [~~and~~]

14 provided that notwithstanding section 304A-105 to the  
15 contrary, no sale of lands described in this paragraph  
16 in fee simple, including land sold for roads and  
17 streets, or gift of lands described in this paragraph  
18 in fee simple to the extent such gift is otherwise  
19 permitted by law, shall occur without the prior  
20 approval of the sale or gift by the legislature by  
21 concurrent resolution to be adopted by at least a two-  
22 thirds majority vote of both houses; and



1           (3) Interest earned or accrued on moneys in the special  
2           fund."

3           SECTION 3. Section 304A-2274, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5           "(a) There is established the University of Hawaii real  
6 property and facilities use revolving fund into which shall be  
7 deposited all revenues collected by the university for the use  
8 of university real property and facilities, except as otherwise  
9 provided by law. The board of regents may establish prices,  
10 fees, and charges, including those for the sale, lease, or use  
11 of university real property and facilities, which include land,  
12 buildings, grounds, furnishings, and equipment; provided that  
13 the university shall comply with all statutory and common law  
14 requirements in the disposition of ceded lands and those lands  
15 described in section 304A-2166(b) (2) (A) and (B). The board of  
16 regents shall be exempt from the public notice and public  
17 hearing requirements of chapter 91 in establishing and amending  
18 the fees and charges. The university may establish separate  
19 accounts within the revolving fund for major program activities.  
20 Funds deposited into the revolving fund accounts shall be  
21 expended to pay the costs of operating university facilities,  
22 including maintenance, administrative expenses, salaries, wages,



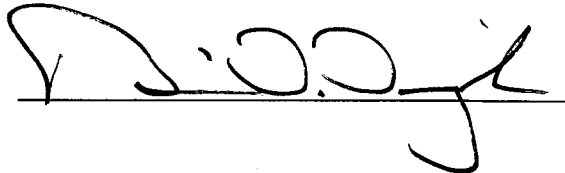
1 and benefits of employees, contractor services, supplies,  
2 security, furnishings, equipment, janitorial services,  
3 insurance, utilities, and other operational expenses. Revenues  
4 not expended as provided in this section may be transferred to  
5 other university funds to be invested or expended for the  
6 administrative or overhead costs of the university. All  
7 expenditures from this revolving fund shall be subject to  
8 legislative appropriation."

9 SECTION 4. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

  
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# S.B. NO. 2553

**Report Title:**

University of Hawaii at West Oahu; Sale or Gift of Land

**Description:**

Prohibits the sale or gift of land currently being used for the permanent campus of the University of Hawaii at West Oahu, including the surrounding land to which the University holds title, without the prior consent of the Legislature.

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

