

**CHAPTER 173**  
**RECLAMATION OF LANDS**

Section

- 173-1 Issuance of revenue bonds
- 173-2 Advances and transfers
- 173-3 Authorization of revenue bonds

### **Note**

This chapter was ratified and approved by Congress. See 72 Stat. 628 and L Sp 1959 1st, c 19.

L 2014, c 218, §8 purports to amend this chapter.

### **Cross References**

Environmental courts, jurisdiction over proceedings arising under this chapter, see §604A-2.

" **§173-1 Issuance of revenue bonds.** Revenue bonds, as provided for by part III of chapter 39, may be issued to finance in whole or in part the cost of construction of such new land areas and means of access thereto, the acquisition, by condemnation, purchase, or otherwise, of littoral or other private rights, if any, which may be affected by such construction, and of rights-of-way to the shore and such shore lands as may be necessary to enable such construction, and the costs of maintenance, betterment, and extension of such new land areas and means of access thereto. The revenues derived from the lease of the new land areas shall be pledged for the punctual payment of the bonds, and interest thereon, and the revenues are hereby charged with the payment of the principal and interest. Each reclamation project, including a specific new land area or areas and all of the matters relating thereto enumerated in the first sentence of this section, is designated as an "undertaking" within the meaning of part III of chapter 39. The department of land and natural resources is charged with the administration of such undertakings. [L 1957, JR 45, §4; am L Sp 1959 2d, c 1, §21; am L 1961, c 132, §2; Supp, §99D-4; HRS §173-1]

### **Cross References**

Reclamation of submerged lands, see §171-53.

" **§173-2 Advances and transfers.** For the purpose of paying the cost of the issuance of bonds authorized by this [chapter] and other preliminary expenses, including but not limited to expenses for engineering and surveys, plans and designs, and appraisals and the costs of services of other departments and agencies, the department of land and natural resources may make advances of such sums as may be necessary from, and as are not then otherwise required for use in, the special land and development fund, which fund shall be reimbursed for the advances upon the issuance of the revenue bonds issued to

finance the reclamation project in connection with which such costs and expenses are incurred. The state director of finance may also make temporary transfers to the department for such purposes in conformity with the provisions of section 39-72.

The governor may make advances from loan funds, derived from the issuance of general obligation bonds, for public improvements authorized by section 173-1, and the advances shall be repaid from the proceeds of the revenue bonds when issued, before any other advances are reimbursed therefrom. When reimbursed the loan funds shall be available for expenditure for the public improvements the financing of which by the issuance of general obligation bonds theretofore was authorized. [L 1957, JR 45, §5; am L Sp 1959 2d, c 1, §§14, 21; am L 1961, c 132, §2; am L 1962, c 32, §7; am L 1963, c 114, §1; Supp, §99D-5; HRS §173-2]

#### **Revision Note**

Section "39-72" substituted for "39-67".

" **§173-3 Authorization of revenue bonds.** The department of land and natural resources may issue, as provided by part III of chapter 39, revenue bonds in a total amount not exceeding \$25,000,000 to finance in whole or in part the costs of construction of new land areas under this [chapter], and other costs as provided in section 173-1. [L 1957, JR 45, §6; am L Sp 1959 2d, c 1, §21; am L 1961, c 132, §2; Supp, §99D-6; HRS §173-3]