
A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

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

- 1 SECTION 1. Section 171-2, Hawaii Revised Statutes, is
2 amended to read as follows:
- 3 "§171-2 Definition of public lands. "Public lands" means
4 all lands or interest therein in the State classed as government
5 or crown lands previous to August 15, 1895, or acquired or
6 reserved by the government upon or subsequent to that date by
7 purchase, exchange, escheat, or the exercise of the right of
8 eminent domain, or in any other manner; including lands accreted
9 after May 20, 2003, and not otherwise awarded, submerged lands,
10 and lands beneath tidal waters that are suitable for
11 reclamation, together with reclaimed lands that have been given
12 the status of public lands under this chapter, except:
- 13 (1) Lands designated in section 203 of the Hawaiian Homes
14 Commission Act, 1920, as amended;
- 15 (2) Lands set aside pursuant to law for the use of the
16 United States;
- 17 (3) Lands being used for roads and streets;



1 (4) Lands to which the United States relinquished the
 2 absolute fee and ownership under section 91 of the
 3 Hawaiian Organic Act prior to the admission of Hawaii
 4 as a state of the United States unless subsequently
 5 placed under the control of the board of land and
 6 natural resources and given the status of public lands
 7 in accordance with the state constitution, the
 8 Hawaiian Homes Commission Act, 1920, as amended, or
 9 other laws;

10 (5) Lands to which the University of Hawaii holds title;

11 (6) Lands to which the Hawaii housing finance and
 12 development corporation in its corporate capacity
 13 holds title;

14 (7) Lands to which the Hawaii community development
 15 authority in its corporate capacity holds title;

16 (8) Lands that are set aside by the governor to the Hawaii
 17 public housing authority or lands to which the Hawaii
 18 public housing authority in its corporate capacity
 19 holds title; provided, however, that the Hawaii public
 20 housing authority shall not sell in fee simple lands
 21 set aside by the governor to the authority or lands to



1 which the authority in its corporate capacity holds
2 title;

3 ~~[(8)]~~ (9) Lands to which the department of agriculture
4 holds title by way of foreclosure, voluntary
5 surrender, or otherwise, to recover moneys loaned or
6 to recover debts otherwise owed the department under
7 chapter 167;

8 ~~[(9)]~~ (10) Lands that are set aside by the governor to the
9 Aloha Tower development corporation; lands leased to
10 the Aloha Tower development corporation by any
11 department or agency of the State; or lands to which
12 the Aloha Tower development corporation holds title in
13 its corporate capacity;

14 ~~[(10)]~~ (11) Lands that are set aside by the governor to the
15 agribusiness development corporation; lands leased to
16 the agribusiness development corporation by any
17 department or agency of the State; or lands to which
18 the agribusiness development corporation in its
19 corporate capacity holds title;

20 ~~[(11)]~~ (12) Lands to which the Hawaii technology development
21 corporation in its corporate capacity holds title; and



1 ~~[(12)]~~ (13) Lands to which the department of education holds
2 title;
3 provided that, except as otherwise limited under federal law and
4 except for state land used as an airport as defined in section
5 262-1, public lands shall include the air rights over any
6 portion of state land upon which a county mass transit project
7 is developed after July 11, 2005."

8 SECTION 2. Section 171-64.7, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) This section applies to all lands or interest therein
11 owned or under the control of state departments and agencies
12 classed as government or crown lands previous to August 15,
13 1895, or acquired or reserved by the government upon or
14 subsequent to that date by purchase, exchange, escheat, or the
15 exercise of the right of eminent domain, or any other manner,
16 including accreted lands not otherwise awarded, submerged lands,
17 and lands beneath tidal waters that are suitable for
18 reclamation, together with reclaimed lands that have been given
19 the status of public lands under this chapter, including:

20 (1) Land set aside pursuant to law for the use of the
21 United States;



- 1 (2) Land to which the United States relinquished the
2 absolute fee and ownership under section 91 of the
3 Organic Act prior to the admission of Hawaii as a
4 state of the United States;
- 5 (3) Land to which the University of Hawaii holds title;
- 6 (4) Land to which the Hawaii housing finance and
7 development corporation in its corporate capacity
8 holds title;
- 9 (5) Land to which the department of agriculture holds
10 title by way of foreclosure, voluntary surrender, or
11 otherwise, to recover moneys loaned or to recover
12 debts otherwise owed the department under chapter 167;
- 13 (6) Land that is set aside by the governor to the Aloha
14 Tower development corporation; or land to which the
15 Aloha Tower development corporation holds title in its
16 corporate capacity;
- 17 (7) Land that is set aside by the governor to the
18 agribusiness development corporation; or land to which
19 the agribusiness development corporation in its
20 corporate capacity holds title;



1 (8) Land to which the Hawaii technology development
2 corporation in its corporate capacity holds title;
3 [~~and~~]

4 (9) Land to which the department of education holds
5 title[-]; and

6 (10) Land to which the Hawaii public housing authority in
7 its corporate capacity holds title."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 2050.

11



Report Title:

Hawaii Public Housing Authority Lands; Public Lands

Description:

Excludes lands set aside by the governor to the Hawaii Public Housing Authority and lands to which the Hawaii Public Housing Authority holds title from the definition of "public lands" in section 171-2, Hawaii Revised Statutes, provided that the lands are not sold in fee simple. Requires legislative approval of the sale of lands to which the Hawaii Public Housing Authority holds title. Takes effect on 7/1/2050. (SD2)

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

