

ACT 25

H.B. NO. 1832

A Bill for an Act Relating to the Use of the Special Land and Development Fund.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 171-19, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is created in the department [of land and natural resources] a special fund to be designated as the “special land and development fund”. Subject to the provisions contained in the Hawaiian Homes Commission Act of 1920, as amended, and in section 5(f) of the Admission Act of 1959, and except as provided under section 171-138 for the industrial park special fund, all proceeds of sale of public lands, including interest on deferred payments, and all rents from leases, licenses, and permits derived from public lands shall be set apart in the fund and shall be used only as authorized by the legislature, except that, without [such] prior legislative authority, the board [of land and natural resources] may use the fund for the following purposes:

- (1) To reimburse the general fund of the State for [advancements heretofore or hereafter made therefrom,] advances made which are required to be reimbursed from the proceeds [of] derived from sales, leases, licenses, or permits [derived from] of public lands;
- (2) For the [incidental] maintenance of all lands under the control and management of the board, including repairs or improvements, thereon[, not to exceed \$200,000]; provided that the department shall not expend in excess of \$500,000 in any fiscal year[;] without the prior approval of the governor;

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- (3) To repurchase any land, including improvements [thereon], in the exercise by the board of any right of repurchase specifically reserved in any patent, deed, lease, or other documents or as provided by law;
- (4) For the payment of all appraisal fees; provided that all [such reimbursable] fees [collected by] reimbursed to the board shall be deposited in the fund;
- (5) For the payment of publication notices as required under this chapter; provided that all or a portion of the expenditures may be charged to the purchaser or lessee of public lands or any interest therein under rules adopted by the board;
- (6) For the planning and construction of roads and trails along state rights-of-way not to exceed \$5,000 in any fiscal year; and
- (7) For the payment to private land [developer or] developers who have contracted with the board for development of public lands under section 171-60.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 21, 1989.)