

ACT 241

H.B. NO. 1424

A Bill for an Act Relating to the Acquisition of Resource Value Lands.

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

SECTION 1. The legislature finds that Lipoa Point-Honolua is one of the most iconic landmarks in Hawaii. Honolua is rich in marine resources and historical and archaeological sites, and is one of the most popular recreational areas for locals and tourists alike, offering some of the best snorkeling and surfing conditions on the island of Maui. Nationally recognized as a marine preserve, it has attracted federal funding and programs due to having some of the highest fish assemblage characteristics of all the Hawaiian islands. Additionally, Honolua is considered to have one of the most diverse, unique, and abundant reef formations, providing habitat for rare coral species.

Historically, not only is Honolua Bay significant for Hawaiian canoe voyaging as being the departure point for the Hōkūleʻa maiden voyage in 1976, it is also the site of several archaeological finds that were identified by Bishop Museum staff in 1974, including two heiau, boulders with grinding surfaces, house platforms, burial mounds, and agricultural terraces.

The legislature further finds that, due to its iconic reputation, Honolua Bay has drawn countless visitors to Hawaii, which helps generate revenue by bolstering the State's important tourist industry. Honolua is known worldwide as a premier winter session, big wave surf spot, a sector of the surfing industry that is currently eclipsing the Association of Surfing Professionals World Championship Tour.

The legislature finds, however, that recent contemplation of zoning changes to the area has jeopardized the pension benefits for numerous retirees, as the parcel was pledged against a pension fund established by the retirees' former employer in order to make sure that kupuna would continue to receive the benefits that they worked for. If this pension fund should fail, many of the pensioners would have to turn to state services and programs, thereby straining the social safety net, especially in an area where resources are already scarce.

The legislature further finds that acquiring this land for preservation would help protect the area's pristine condition while providing funds to ensure the adequate capitalization of the pension fund. The legislature also finds that the owners of the land have pledged that any revenues derived from the sale of

ACT 241

this parcel would be pledged completely against the pension fund, thereby alleviating concerns of the social safety net being stretched even further.

The purpose of this Act is to require the department of land and natural resources to engage to acquire the parcel of land located at Lipoa Point. It is the legislature's intent that the department explore options to protect and preserve the area's pristine condition, while ensuring the adequate capitalization of the pension fund against which the parcel was pledged.

SECTION 2. The department of land and natural resources, in consultation with the Hawaiian Islands Land Trust, shall engage to acquire the parcel of land located at Lipoa Point, identified as TMK 2-4-1-001-010-0000.

SECTION 3. To the maximum extent practicable, the department of land and natural resources shall ensure that the seller of the land identified in section 2 of this Act uses the proceeds of the sale to benefit the pension plan of retirees of the Maui Land and Pineapple Company, Inc.

This section shall not be construed or interpreted or deemed to obligate the State for the pension plan liabilities of employees and retirees of the Maui Land and Pineapple Company, Inc.

SECTION 4. This Act shall take effect on July 1, 2013.

(Approved June 28, 2013.)