



GOV. MSG. NO. **862**

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

May 29, 2007

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 29, 2007, the following bill was signed into law:

SB1924 SD2 HD2 CD1

A BILL FOR AN ACT RELATING TO LANDS
CONTROLLED BY THE STATE.
(ACT 104)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on MAY 29 2007

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

ACT 104

S.B. NO. 1924
S.D. 2
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO LANDS CONTROLLED BY THE STATE.

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

1 SECTION 1. Notwithstanding any other law to the contrary,
2 including section 171-50(c), Hawaii Revised Statutes, the board
3 may:

4 (1) Exchange, in accordance with section 171-50(a) and
5 (b), Hawaii Revised Statutes; or

6 (2) Sell, at fair market value in accordance with section
7 171-17, Hawaii Revised Statutes,

8 but not both, by direct negotiation and without recourse to
9 public auction, no more than fifteen acres of public land as
10 defined under section 171-2, Hawaii Revised Statutes, to an
11 eleemosynary organization that has been certified to be tax-
12 exempt under section 501(c)(1) or (3) of the Internal Revenue
13 Code of 1986, as amended, to be used as the site of a community
14 center on the following conditions:

15 (1) The lands shall be used by the eleemosynary
16 organization for a community center that shall be made
17 available to the public without regard to race, creed,



- 1 color, national origin, sex, sexual orientation, or
2 mental or physical handicap;
- 3 (2) The eleemosynary organization shall demonstrate
4 sources of funding sufficient to construct and
5 maintain a multi-purpose community center with
6 sufficient size and facilities to serve a community of
7 twenty-five thousand people, including:
- 8 (A) A major aquatic center with two swimming pools;
9 (B) An athletic complex with a gymnasium that houses
10 a national collegiate athletic association
11 regulation-sized basketball court;
- 12 (C) A performing arts center;
13 (D) An educational and vocational training center;
14 and
- 15 (E) At least three hundred parking stalls;
- 16 (3) The major donors contributing to the capital
17 improvements or maintenance of the community center
18 require the eleemosynary organization to own the land
19 in fee simple instead of a lease under section
20 171-43.1, Hawaii Revised Statutes; and
- 21 (4) If the land is not used or ceases to be used for the
22 purpose set forth in paragraph (1), ownership of the



1 land and any improvements constructed thereon shall
2 revert to the State; provided that any pending
3 liabilities assigned to the property, eleemosynary
4 organization, or other party in effect prior to the
5 reversion shall not be transferred to the State.

6 SECTION 2. This Act shall take effect on approval;
7 provided that it shall be repealed on December 31, 2010.



GOVERNOR OF THE STATE OF HAWAII

Approved this day: MAY 29 2007

