

JAN 18 2008

A BILL FOR AN ACT

RELATING TO WATER.

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

1 SECTION 1. Section 171-19, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) There is created in the department a special fund to
4 be designated as the "special land and development fund".
5 Subject to the Hawaiian Homes Commission Act of 1920, as
6 amended, and section 5(f) of the Admission Act of 1959, all
7 proceeds of sale of public lands, including interest on deferred
8 payments; all moneys collected under section 171-58 for mineral
9 and water rights; all rents from leases, licenses, and permits
10 derived from public lands; all moneys collected from lessees of
11 public lands within industrial parks; all fees, fines, and other
12 administrative charges collected under this chapter and chapter
13 183C; a portion of the highway fuel tax collected under chapter
14 243; all moneys collected by the department for the commercial
15 use of public trails and trail accesses under the jurisdiction
16 of the department; transient accommodations tax revenues
17 collected pursuant to section 237D-6.5(b)(2); and private



1 contributions for the management, maintenance, and development
2 of trails and accesses shall be set apart in the fund and shall
3 be used only as authorized by the legislature for the following
4 purposes:

5 (1) To reimburse the general fund of the State for
6 advances made that are required to be reimbursed from
7 the proceeds derived from sales, leases, licenses, or
8 permits of public lands;

9 (2) For the planning, development, management, operations,
10 or maintenance of all lands and improvements under the
11 control and management of the board, including but not
12 limited to permanent or temporary staff positions who
13 may be appointed without regard to chapter 76;

14 (3) To repurchase any land, including improvements, in the
15 exercise by the board of any right of repurchase
16 specifically reserved in any patent, deed, lease, or
17 other documents or as provided by law;

18 (4) For the payment of all appraisal fees; provided that
19 all fees reimbursed to the board shall be deposited in
20 the fund;

21 (5) For the payment of publication notices as required
22 under this chapter; provided that all or a portion of



- 1 the expenditures may be charged to the purchaser or
2 lessee of public lands or any interest therein under
3 rules adopted by the board;
- 4 (6) For the management, maintenance, and development of
5 trails and trail accesses under the jurisdiction of
6 the department;
- 7 (7) For the payment to private land developers who have
8 contracted with the board for development of public
9 lands under section 171-60;
- 10 (8) For the payment of debt service on revenue bonds
11 issued by the department, and the establishment of
12 debt service and other reserves deemed necessary by
13 the board;
- 14 (9) To reimburse the general fund for debt service on
15 general obligation bonds issued to finance
16 departmental projects, where the bonds are designated
17 to be reimbursed from the special land and development
18 fund;
- 19 (10) For the protection, planning, management, and
20 regulation of water resources under chapter 174C~~[+]~~,
21 including water and irrigation systems; and
- 22 (11) For other purposes of this chapter."



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

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

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INTRODUCED BY:

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Report Title:

Water; Irrigation; Special Land and Development Fund

Description:

Includes water and irrigation systems as a use for the special land and development fund.

