H.C.R. NO. 316

HOUSE CONCURRENT RESOLUTION

APPROVING THE FEE SIMPLE SALE OF NON-CEDED LANDS HELD BY THE UNIVERSITY OF HAWAII IN KAPOLEI, HAWAII.

WHEREAS, private, non-ceded lands in Kapolei were donated 1 2 by the Campbell Estate to the University of Hawaii to build the University of Hawaii-West Oahu campus; and 3 4 WHEREAS, the private, non-ceded lands were donated on the 5 specific conditions that a campus would be built that 6 accommodates at least 2,750 students and that construction would 7 begin by December 31, 2011, otherwise the lands would revert to 8 the Campbell Estate; and 9 10 WHEREAS, one method of quickly raising funds to finance the 11 construction would be to sell in fee simple portions of the 12 outlying areas of the donated lands that are situated around the 13 proposed site of the new Kapolei campus, and to use the proceeds 14 15 from the sale of those adjoining lands to finance construction costs; and 16 17 WHEREAS, a current impediment to selling any state-owned 18 lands in fee simple, whether the lands are ceded or not ceded, 19 is Act 176, Session Laws of Hawaii 2009, which requires the 20 prior approval of the Legislature by concurrent resolution to 21 sell certain state land in fee simple and applies to land which 22 the University of Hawaii holds title; and 23 24 WHEREAS, Act 176 establishes procedural requirements that 25 might delay the sale of those lands adjoining the new Kapolei 26 campus, which in turn might hopelessly delay construction of the 27 28 new campus until after the end of 2011; and 29 WHEREAS, Act 176, appears to have created unintended 30 operational difficulties for state agencies that need to sell or 31 gift state-owned lands in a timely and efficient manner; and 32



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2 WHEREAS, the University of Hawaii desires to sell in fee 3 simple certain non-ceded lands adjoining the site of the campus 4 to raise the funds in order to construct the campus, 5 notwithstanding the requirements of Act 176, Session Laws of 6 Hawaii 2009, and to comply with the conditions running with the 7 donated lands; now, therefore, 8

9 BE IT RESOLVED by the House of Representatives of the 10 Twenty-fifth Legislature of the State of Hawaii, Regular Session 11 of 2010, the Senate concurring, that any fee simple sale by the 12 University of Hawaii of the non-ceded lands owned by the 13 University of Hawaii situated around the Kapolei campus is 14 hereby approved, notwithstanding any other procedural 15 requirements of Act 176, Session Laws of Hawaii 2009; and

17 BE IT FURTHER RESOLVED that certified copies of this 18 Concurrent Resolution be transmitted to the Chairperson of the 19 Board of Regents of the University of Hawaii and the President 20 of the University of Hawaii.

21 22 23 OFFERED BY: HCR LRB 10-2016 MAR 1 0