
A BILL FOR AN ACT

RELATING TO THE HAWAII FILM STUDIO.

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

1 SECTION 1. The legislature finds that the film industry in
2 Hawaii is vital to maintaining a diversified economy for the
3 State. A vibrant, growing film industry has been effective over
4 the past five decades in stimulating Hawaii's economy and
5 creating quality, well-paying jobs for residents of the State.
6 Hawaii's film industry is the perfect example of a clean,
7 diversified industry that supports and protects Hawaii's fragile
8 natural environment, uplifts the community, and provides
9 opportunity to share unique Native Hawaiian history, culture,
10 language, and stories with the world.

11 The Hawaii film studio at Diamond Head is situated at 510
12 18th Avenue, tax map key (1)3-1-42:9, and falls under the
13 governor's executive order no. 4097 setting aside 7.422 acres.
14 The studio currently falls under the management and oversight of
15 the department of business, economic development, and tourism
16 through its Hawaii film office.



1 The purpose of this Act is to streamline the department of
2 business, economic development, and tourism's use of the Hawaii
3 film studio facility at Diamond Head for film activity and film-
4 related business by not requiring board of land and natural
5 resources' approval of new tenants to further strengthen and
6 develop Hawaii's film industry.

7 SECTION 2. Section 171-11, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§171-11 Public purposes, lands set aside by the governor;**
10 **management.** The governor may, with the prior approval of the
11 board of land and natural resources, set aside public lands to
12 any department or agency of the State, the city and county,
13 county, or other political subdivisions of the State for public
14 use or purpose. All withdrawals of the lands or portions
15 thereof so set aside shall be made by the governor.

16 Any public lands set aside by the governor prior to the
17 enactment of this chapter, or any public lands set aside by the
18 governor of the Territory of Hawaii, shall be subject to the
19 provisions of this section.

20 Lands while so set aside for such use or purpose or when
21 acquired for roads and streets shall be managed by the



1 department, agency, city and county, county, or other political
2 subdivisions of the State having jurisdiction thereof, unless
3 otherwise provided by law. Such department, agency of the
4 State, the city and county, county, or other political
5 subdivisions of the State in managing such lands shall be
6 authorized to exercise all of the powers vested in the board in
7 regard to the issuance of leases, easements, licenses, revocable
8 permits, concessions, or rights of entry covering such lands for
9 such use as may be consistent with the purposes for which the
10 lands were set aside on the same terms, conditions, and
11 restrictions applicable to the disposition of public lands, as
12 provided by this chapter all such dispositions being subject to
13 the prior approval of the board; provided that any nonrenewable
14 dispositions granting rights for a period not in excess of
15 fourteen days shall not require (1) the approval of the board or
16 (2) public auction or public advertisement for sealed tenders;
17 [~~and~~] provided further that disposition of lands set aside for
18 use as agricultural parks pursuant to chapter 166 and lands set
19 aside for filming and film studio operation shall not be subject
20 to the prior approval of the board. If at the time of the
21 disposition of any such leases the board shall have approved the



1 same, any order withdrawing or setting aside any or all of such
2 lands for any other public purpose shall be made subject to such
3 leases. Subject to section 5(f) of the Act of March 18, 1959
4 (73 Stat. 6), all proceeds from such lands shall be deposited
5 into the appropriate funds provided by law.

6 A survey of the land to be set aside shall not be a
7 condition precedent to set aside public lands to a department or
8 agency of the State; provided that a subsequent survey of the
9 land set aside shall be binding if ratified by the board of land
10 and natural resources and the governor; provided further that
11 the State, its departments and agencies, and its officials and
12 employees shall be immune from all suits of whatever character,
13 whether sounding in law or in equity, relating to the boundaries
14 of land set aside without a survey.

15 This section shall also apply where the purposes are the
16 uses and purposes of the United States; provided that all
17 revenues derived from the lands and improvements thereon shall
18 be paid to the department of land and natural resources by the
19 United States.

20 Whenever lands set aside for a public purpose to the
21 various departments and agencies of the State, or to any city



1 and county, county, or other political subdivisions of the
2 State, or to the United States, are not being utilized or
3 required for the public purpose stated, the order setting aside
4 the lands shall be withdrawn and the lands shall be returned to
5 the department. The governor may withdraw public lands and,
6 with the prior approval of the board of land and natural
7 resources, set aside the withdrawn lands to another department
8 or agency of the State, the city and county, county, or
9 political subdivision of the State, or to the United States for
10 public use or purpose[~~r~~]; provided that no structure on such
11 lands shall be built, demolished or altered until after the
12 legislative action or inaction as hereinbelow provided.

13 The power granted to the governor in this section to set
14 aside or withdraw or withdraw and set aside public lands shall
15 be exercised subject to disapproval by the legislature by two-
16 thirds vote of either the senate or the house of representatives
17 or by the majority vote of both, in any regular or special
18 session next following the date of the setting aside or
19 withdrawal, or withdrawal and setting aside.

20 Whenever portions of lands set aside for a public purpose
21 to the various departments and agencies of the State, or to any



1 city and county, county, or other political subdivision of the
2 State are not presently utilized or required for the public
3 purpose stated, the board shall have the power, without
4 withdrawing the order setting aside the lands, to dispose of any
5 and all real property interest less than the fee in the portions
6 of such lands where the disposition is for a use which is
7 consistent or inconsistent with the purpose for which the land
8 was set aside. All funds derived from disposition by the board
9 shall be deposited in the general fund of the State or be paid
10 to the appropriate account; provided that all such dispositions
11 shall be with the prior written approval of the department,
12 agency, city and county, county, or other political subdivisions
13 of the State and the governor, and shall be undertaken in
14 compliance with all other applicable sections of this chapter."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on July 1, 3000;
18 provided that if the Hawaii film studio has not moved its
19 location from TMK (1) 3-1-42:9 as of June 30, 2030, this Act
20 shall be repealed on that date, and section 171-11, Hawaii



- 1 Revised Statutes, shall be reenacted in the form in which it
- 2 read on the day before the effective date of this Act.



Report Title:

BLNR; DBEDT; Hawaii Film Studio; Public Lands; Exemption;
Creative Media; Entertainment

Description:

Provides an exemption to dispositions of lands set aside for
filming and film studio operation from prior approval of the
Board of Land and Natural Resources. Repeals 6/30/2030 if
Hawaii Film Studio has not changed locations as of that date.
Effective 7/1/3000. (HD1)

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not legislation or evidence of legislative intent.*

