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# 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. Chapter 171, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§171- Exchange of lands under the control of state  
5 departments and agencies for private land; legislative approval  
6 required. (a) Notwithstanding any law to the contrary, no  
7 exchange of:

- 8 (1) Land defined as public land under section 171-2;  
9 (2) Land designated in section 203 of the Hawaiian Homes  
10 Commission Act, 1920, as amended;  
11 (3) Land set aside pursuant to law for the use of the  
12 United States;  
13 (4) Land being used for roads and streets;  
14 (5) Land to which the United States relinquished the  
15 absolute fee and ownership under section 91 of the  
16 Hawaiian Organic Act prior to the admission of Hawaii  
17 as a state of the United States unless subsequently



- 1 placed under the control of the board of land and  
2 natural resources and given the status of public lands  
3 in accordance with the state constitution, the  
4 Hawaiian Homes Commission Act, 1920, as amended, or  
5 other laws;
- 6 (6) Land to which the University of Hawaii holds title;  
7 (7) Land to which the Hawaii housing finance and  
8 development corporation in its corporate capacity  
9 holds title;
- 10 (8) Land to which the Hawaii community development  
11 authority in its corporate capacity holds title;
- 12 (9) Land to which the department of agriculture holds  
13 title by way of foreclosure, voluntary surrender, or  
14 otherwise, to recover moneys loaned or to recover  
15 debts otherwise owed the department under chapter 167;
- 16 (10) Land that is set aside by the governor to the Aloha  
17 Tower development corporation; lands leased to the  
18 Aloha Tower development corporation by any department  
19 or agency of the State; or land to which the Aloha  
20 Tower development corporation holds title in its  
21 corporate capacity;



1       (11) Land that is set aside by the governor to the  
2       agribusiness development corporation; land leased to  
3       the agribusiness development corporation by any  
4       department or agency of the State; or land to which  
5       the agribusiness development corporation in its  
6       corporate capacity holds title; or

7       (12) Land to which the high technology development  
8       corporation in its corporate capacity holds title;  
9       shall be made without the approval of the legislature by at  
10      least a two-thirds majority vote of the members to which each  
11      house is entitled in any regular or special session at which the  
12      legislature is authorized to act on the exchange of public land  
13      following the approval date of the exchange by the state  
14      department or agency.

15      (b) The state department or agency shall submit for  
16      introduction to the legislature a concurrent resolution for  
17      review of any exchange. The concurrent resolution shall contain  
18      a list of all exchanges consummated by the state department or  
19      agency wherein exchange deeds have been executed by the parties  
20      together with the following information:

21      (1) The location and area of the parcels of land to be  
22      exchanged;



- 1        (2) The value of the lands to be conveyed by the State and
- 2        the private party;
- 3        (3) The names of all appraisers performing appraisals of
- 4        the parcels of land to be exchanged;
- 5        (4) The date of the appraisal valuation;
- 6        (5) The purpose for which the parcels of land is being
- 7        exchanged; and
- 8        (6) A detailed summary of any development plans for the
- 9        parcels of land to be exchanged.
- 10       (c) If the legislature fails to approve the concurrent
- 11 resolution to authorize the exchange of land for private land as
- 12 provided in subsection (a), the exchange shall not be executed
- 13 by the state department or agency."

14       SECTION 2. New statutory material is underscored.

15       SECTION 3. This Act shall take effect on July 1, 2050.



**Report Title:**

State Lands; Legislative Approval Prior to Land Exchanges

**Description:**

Requires legislative approval of any exchange of lands under the control of any state department or agency for private lands.

(SD2)

