

ACT 147

S.B. NO. 593

A Bill for an Act Relating to Public Lands.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Act 237, Session Laws of Hawaii 1988, as amended by Act 249, Session Laws of Hawaii 1990, as amended by Act 69, Session Laws of Hawaii 1991, as amended by Act 177, Session Laws of Hawaii 1993, and as amended by Act 162, Session Laws of Hawaii 1994, is amended by amending section 4 to read as follows:

“SECTION 4. In negotiating and executing a lease as authorized by section 2, the board of land and natural resources shall:

- (1) Require appraisal of the parcel in accordance with section 171-17(b); provided that if the appraisal is not completed before December 31, 1995, the annual lease rent shall be based on real property assessed valuations of the respective properties as of December 31, 1995, at an annual rate of return of three and one-half per cent;
- (2) Impose [such] other lease provisions, restrictions, and conditions provided by sections 171-35, 171-36, and 171-37 as may be required to protect the State’s interests;
- (3) Recover from the lessee the cost of subdividing the parcel; and
- (4) Require the payment of annual lease rent based on fair market value and a premium[,] computed at twenty-five per cent of annual lease rent, with the premium to be added to the annual lease rent for each year of the lease equal to the number of years that the lessee had occupied the land under revocable permit not to exceed four years.”

SECTION 2. Act 237, Session Laws of Hawaii 1988, is reenacted as of July 1, 1995; provided that Act 237, Session Laws of Hawaii 1988, as amended by Act 249, Session Laws of Hawaii 1990, as amended by Act 69, Session Laws of Hawaii 1991, as amended by Act 177, Session Laws of Hawaii 1993, and as amended by Act

ACT 147

162, Session Laws of Hawaii 1994, is amended by amending section 7 to read as follows:

“SECTION 7. This Act shall take effect on July 1, 1988, and shall be repealed on July 1, [1995.] 1996.”

SECTION 3. Session law material to be repealed is bracketed. New session law material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 13, 1995.)