

ACT 169

H.B. NO. 397

A Bill for an Act Relating to Lands Controlled by the State.

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

SECTION 1. Section 171-50, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Legislative disapproval. Any exchange of public land for private land shall be subject to disapproval by the legislature by two thirds vote of either the senate or the house of representatives or by majority vote of both in any regular or special session following the date of the board of land and natural resources’ approval in principle of the exchange. The state department or agency shall submit for introduction to the legislature a resolution for review of action on any exchange to be consummated by the board wherein exchange deeds will be executed by the parties together with the following information:

- (1) [the] The specific location and [area] size in square feet or in other precise measure of the parcels of land to be exchanged;
- (2) [the] The value of the lands to be conveyed by the State and the private party;
- (3) [the] The name or names of the appraiser or appraisers;
- (4) [the] The date of the appraisal valuation; [and]
- (5) [the] The purpose for which the lands are being exchanged[-];
- (6) A detailed summary of any development plans for the land to be exchanged; and
- (7) A statement of whether the land is, or is not, land that was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands, and a detailed explanation of how the state department or agency made this determination.

A copy of the draft resolution shall also be submitted to the office of Hawaiian affairs ~~[when it is submitted to the legislature.]~~ at least three months prior to the convening of a regular or special session of the legislature to allow the office to determine whether the land was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands.

SECTION 2. Section 171-64.7, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The state department or agency proposing to sell or give any state land described in subsection (a) shall submit for introduction to the legislature a concurrent resolution for review of the proposed sale or gift. The concurrent resolution shall contain a list of all sales or gifts of state land proposed by the state department or agency. The concurrent resolution shall contain the following information:

- (1) The specific location and [area] size in square feet or in other precise measure of the parcels of land to be sold or given;
- (2) The appraisal value of the land to be sold or given;
- (3) The names of all appraisers performing appraisals of the land to be sold or given;
- (4) The date of the appraisal valuation;
- (5) The purpose for which the land is being sold or given; ~~[and]~~
- (6) A detailed summary of any development plans for the land to be sold or given[-]; and
- (7) A statement of whether the land is, or is not, land that was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands, and a detailed explanation of how the state department or agency made this determination.

A ~~[copy]~~ draft of the concurrent resolution for the prior approval of a sale or gift of land shall also be submitted to the office of Hawaiian affairs ~~[when it is submitted to the legislature.]~~ at least three months prior to the convening of a regular or special session of the legislature to allow the office to determine whether the land was classed as government or crown lands previous to August 15, 1895, or was acquired by the State in exchange for such lands.”

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

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

(Approved June 27, 2011.)