

ACT 146

S.B. NO. 3121

A Bill for an Act Relating to Public Land.

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.]~~ approval. 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]~~ approval by majority vote of both houses of the legislature 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 specific location and size in square feet or in other precise measure of the parcels of land to be exchanged;

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- (2) The value of the lands to be conveyed by the State and the private party;
- (3) The name or names of the appraiser or appraisers;
- (4) The date of the appraisal valuation;
- (5) 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 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 171-50.2, Hawaii Revised Statutes, is amended to read as follows:

“**§171-50.2 Exchanges for conversion of leasehold lands to fee simple ownership.** The board may exchange public lands for private lands to be condemned or involuntarily sold pursuant to chapter 516. ~~[Such]~~ An exchange shall be requested by the executive director of the Hawaii housing finance and development corporation~~;~~ and shall be effected in conformity with section 171-50; provided that ~~[such]~~ an exchange shall be subject to legislative ~~[disapproval;]~~ approval; provided further that the private lands conveyed to the State shall be disposed of pursuant to chapter 516; and provided further that lands exchanged need not be of like-kind or comparable use; provided further that no lands classified as conservation shall be exchanged for private lands.”

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 4. This Act shall take effect on July 1, 2014.

(Approved June 24, 2014.)