
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 163D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§163D- Disposition of lands under the control of the
5 corporation; legislative approval required. (a) No sale or
6 other similar permanent disposition of lands controlled by the
7 board shall be made except for public purposes, which shall
8 include but not be limited to:

9 (1) Consolidation of holdings of lands under the board's
10 control;

11 (2) Straightening of boundaries of lands under the board's
12 control;

13 (3) Acquisition of adequate access for landlocked lands
14 under the board's control that have development
15 potential; or

16 (4) Acquisition of lands suitable for agricultural use.

17 (b) Any sale or similar permanent disposition of lands
18 controlled by the board shall be subject to approval by the



1 legislature by two-thirds vote of the members to which each
2 house is entitled in any regular or special session following
3 the date of the board's approval in principle of the sale. The
4 board shall submit for introduction to the legislature a
5 resolution for review of action on any sale or other similar
6 permanent disposition of lands controlled by the board to be
7 consummated by the board, wherein the deed for the land shall be
8 executed by the parties together with the following information:

- 9 (1) The location and area of the parcel of land to be sold
10 or otherwise permanently disposed of;
- 11 (2) The value of the land to be sold or otherwise
12 permanently disposed of;
- 13 (3) The name or names of the appraiser or appraisers;
- 14 (4) The date of the appraisal valuation;
- 15 (5) The public purpose, in accordance with subsection (a),
16 for which the land is being sold or otherwise
17 permanently disposed of; and
- 18 (6) A detailed summary of any development plans for the
19 land to be sold or otherwise permanently disposed of.
- 20 (c) If the legislature fails to approve the resolution to
21 authorize the sale or other similar permanent disposition of



1 lands under the board's control as provided in subsection (b),
2 the transaction shall not be executed by the board."

3 SECTION 2. Chapter 206E, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 **"§206E- Disposition of lands under the control of the**
7 **authority; legislative approval required.** (a) No sale or other
8 similar permanent disposition of land controlled by the
9 authority shall be made except for public purposes, which shall
10 include but not be limited to:

- 11 (1) Consolidation of holdings of lands under the
12 authority's control;
- 13 (2) Straightening of boundaries of lands under the
14 authority's control;
- 15 (3) Acquisition of adequate access for landlocked lands
16 under the authority's control that have development
17 potential; or

18 (4) Acquisition of lands suitable for residential use.

19 (b) Any sale or similar permanent disposition of lands
20 controlled by the authority shall be subject to approval by the
21 legislature by two-thirds vote of the members to which each
22 house is entitled in any regular or special session following



1 the date of the authority's approval in principle of the sale or
2 other similar permanent disposition. The authority shall submit
3 for introduction to the legislature a resolution for review of
4 action on any sale or other similar permanent disposition of
5 lands to be consummated by the authority, wherein the deed for
6 the land shall be executed by the parties together with the
7 following information:

8 (1) The location and area of the parcel of land controlled
9 by the authority to be sold or otherwise permanently
10 disposed;

11 (2) The value of the land controlled by the authority to
12 be sold or otherwise permanently disposed;

13 (3) The name or names of the appraiser or appraisers;

14 (4) The date of the appraisal valuation;

15 (5) The public purpose, in accordance with subsection (a),
16 for which the land is being sold or otherwise
17 permanently disposed; and

18 (6) A detailed summary of any development plans for the
19 land controlled by the authority to be sold or
20 otherwise permanently disposed.

21 (c) If the legislature fails to approve the resolution to
22 authorize the sale or other similar permanent disposition of



1 lands under the authority's control as provided in subsection
2 (b), the transaction shall not be executed by the authority."

3 SECTION 3. Chapter 304, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 **"§304- Disposition of lands under the control of the**
7 **university; legislative approval required.** (a) No sale or
8 other similar permanent disposition of lands controlled by the
9 board of regents shall be made except for public purposes, which
10 shall include but not be limited to:

11 (1) Consolidation of holdings of lands under the board's
12 control;

13 (2) Straightening of boundaries of lands under the board's
14 control;

15 (3) Acquisition of adequate access for landlocked lands
16 under the board's control that have development
17 potential; or

18 (4) Acquisition of lands suitable for educational or
19 university-related residential lodging use.

20 (b) Any sale or similar permanent disposition of lands
21 controlled by the board shall be subject to approval by the
22 legislature by two-thirds vote of the members to which each



1 house is entitled in any regular or special session following
2 the date of the board of regents' approval in principle of the
3 sale. The board of regents shall submit for introduction to the
4 legislature a resolution for review of action on any sale or
5 other similar permanent disposition of lands controlled by the
6 board to be consummated by the board of regents, wherein the
7 deed for the land shall be executed by the parties together with
8 the following information:

- 9 (1) The location and area of the parcel of land to be sold
10 or otherwise permanently disposed of;
- 11 (2) The value of the land to be sold or otherwise
12 permanently disposed of;
- 13 (3) The name or names of the appraiser or appraisers;
- 14 (4) The date of the appraisal valuation;
- 15 (5) The public purpose, in accordance with subsection (a),
16 for which the land is being sold or otherwise
17 permanently disposed of; and
- 18 (6) A detailed summary of any development plans for the
19 land to be sold or otherwise permanently disposed of.
- 20 (c) If the legislature fails to approve the resolution to
21 authorize the sale or other similar permanent disposition of
22 lands under the board of regents' control as provided in



1 subsection (b), the transaction shall not be executed by the
2 board of regents."

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun, before its effective date.

7 SECTION 6. This Act shall take effect upon its approval.
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Report Title:

State-Controlled Lands; Legislative Approval Prior to Sale

Description:

Requires the agricultural development corporation, Hawaii community development authority, and the University of Hawaii to obtain legislative approval prior to permanently disposing of state lands under their respective jurisdictions.

