

JAN 25 2006

A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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- Legislative approval. (a) Notwithstanding
5 any provision to the contrary, and unless otherwise specifically
6 authorized by the legislature, the board shall obtain the
7 approval of the legislature by concurrent resolution prior to
8 dispositions of all lands or interest therein in the State
9 classed as government or crown lands previous to August 15,
10 1895, or acquired or reserved by the government upon or
11 subsequent to that date by purchase, exchange, escheat, or the
12 exercise of the right of eminent domain, or in any other manner;
13 including accreted lands not otherwise awarded, submerged lands,
14 and lands beneath tidal waters which are suitable for
15 reclamation, together with reclaimed lands which have been given
16 the status of public lands under this chapter, by:
17 (1) Selling;
18 (2) Entering into a long-term lease;



1 (3) Setting aside to or withdrawing public lands from any
2 department or agency of the State, county, or any
3 other political subdivision of the State, including
4 under section 171-11; or

5 (4) Entering into any memorandum of understanding or
6 memorandum of agreement relating to the disposition of
7 any public lands.

8 (b) For the purposes of this section "long-term lease"
9 means a lease for twenty years or more."

10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun, before its effective date.

13 SECTION 3. New statutory material is underscored.

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

15

INTRODUCED BY: 



SB. NO. 3142

Report Title:

Public Lands; Dispositions; Legislative Approval

Description:

Requires prior legislative approval prior to any sale, long-term lease, or transfer to another department of the State, county, or other political subdivision of the State, any State public lands. Also requires legislative approval for MOUs or MOAs involving transfers of public land.

