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

4 "§171- Exchange of lands under the control of state
5 departments and agencies for private land; legislative approval
6 required. (a) Notwithstanding any law to the contrary, no
7 exchange of:

- 8 (1) Land defined as public land under section 171-2;
9 (2) Land designated in section 203 of the Hawaiian Homes
10 Commission Act, 1920, as amended;
11 (3) Land set aside pursuant to law for the use of the
12 United States;
13 (4) Land being used for roads and streets;
14 (5) Land to which the United States relinquished the
15 absolute fee and ownership under section 91 of the
16 Hawaiian Organic Act prior to the admission of Hawaii
17 as a state of the United States unless subsequently



1 placed under the control of the board of land and
 2 natural resources and given the status of public lands
 3 in accordance with the State Constitution, the
 4 Hawaiian Homes Commission Act, 1920, as amended, or
 5 other laws;

6 (6) Land to which the University of Hawaii holds title;

7 (7) Land to which the Hawaii housing finance and
 8 development corporation in its corporate capacity
 9 holds title;

10 (8) Land to which the Hawaii community development
 11 authority in its corporate capacity holds title;

12 (9) Land to which the department of agriculture holds
 13 title by way of foreclosure, voluntary surrender, or
 14 otherwise, to recover moneys loaned or to recover
 15 debts otherwise owed the department under chapter 167;

16 (10) Land that is set aside by the governor to the Aloha
 17 Tower development corporation; lands leased to the
 18 Aloha Tower development corporation by any department
 19 or agency of the State; or land to which the Aloha
 20 Tower development corporation holds title in its
 21 corporate capacity;



1 (11) Land that is set aside by the governor to the
2 agribusiness development corporation; land leased to
3 the agribusiness development corporation by any
4 department or agency of the State; or land to which
5 the agribusiness development corporation in its
6 corporate capacity holds title; or

7 (12) Land to which the high technology development
8 corporation in its corporate capacity holds title;
9 shall be made without the approval of the legislature by at
10 least a two-thirds majority vote of the members to which each
11 house is entitled in any regular or special session at which the
12 legislature is authorized to act on the exchange of public land
13 following the approval date of the exchange by the state
14 department or agency.

15 (b) The state department or agency shall submit for
16 introduction to the legislature a concurrent resolution for
17 review of any exchange. The concurrent resolution shall contain
18 a list of all exchanges consummated by the state department or
19 agency wherein exchange deeds have been executed by the parties
20 together with the following information:

21 (1) The location and area of the parcels of land to be
22 exchanged;



- 1 (2) The value of the lands to be conveyed by the State and
2 the private party;
- 3 (3) The names of all appraisers performing appraisals of
4 the parcels of land to be exchanged;
- 5 (4) The date of the appraisal valuation;
- 6 (5) The purpose for which the parcels of land is being
7 exchanged; and
- 8 (6) A detailed summary of any development plans for the
9 parcels of land to be exchanged.
- 10 (c) If the legislature fails to approve the concurrent
11 resolution to authorize the exchange of land for private land as
12 provided in subsection (a), the exchange shall not be executed
13 by the state department or agency."

14 SECTION 2. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.



Report Title:

State Lands; Legislative Approval Prior to Land Exchanges

Description:

Requires legislative approval of any exchange of lands under the control of any state department or agency for private lands.
(SD1)

