

JAN 22 2008

A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 171-14, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§~~171-14 **Auction.** (a) Except as otherwise specifically
4 provided, all disposition of public lands shall be made at
5 public auction after public notice as provided in section 171-
6 16.

7 (b) All [~~such~~] auctions shall be [~~held~~]:

8 (1) Held at the door of the office of the land agent or at
9 such other place as is convenient in the district in
10 which the land is located[~~7~~]; and [~~shall be conducted~~]

11 (2) Conducted by the chairperson or the land agent or by
12 any other authorized employee of the department of
13 land and natural resources under the direction of the
14 board of land and natural resources, all of whom shall
15 perform this service without extra compensation.

16 (c) Notwithstanding any law to the contrary, whenever the
17 board disposes of public land by public auction, the current



1 lessee of the public land to be disposed shall have the right to
2 match any winning bid within days thereof if:

3 (1) The current lessee has made substantial improvements
4 to the demised land. For purposes of this subsection,
5 "substantial improvements" means all improvements of
6 which the aggregate fair market value exceeds
7 \$ as determined by appraisers;

8 (2) The current lessee participates in the auction; and

9 (3) The current lessee has not had a previous or the
10 current sale, lease, license, permit, or easement
11 covering public lands cancelled or forfeited for
12 failure to satisfy the terms and conditions thereof."

13 SECTION 2. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun, before its effective date.

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 Statutory material to be repealed is bracketed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

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

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INTRODUCED BY: *Therese R. George*
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Report Title:

Public Lands; Auction; Current Lessee; Improvements

Description:

Permits a current lessee of public land to be disposed by public auction to match the winning bid under certain circumstances.

