

JAN 23 2009

A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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

1 SECTION 1. Section 171-33, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§171-33 Planning; generally.** (a) Prior to any notice of
4 intended disposition, the board of land and natural resources
5 shall:
6 (1) Classify the land according to its use or uses as
7 provided in this chapter;
8 (2) Determine the specific use or uses for which the
9 disposition is intended;
10 (3) Parcel land into units of minimum size areas related
11 to the intended specific use or uses and sufficient
12 for an economic operation, hereinafter called an
13 "economic unit";
14 (4) Determine the requirements for the construction of
15 building or other improvements, which are necessary or
16 desirable to encourage the highest use of the land;



- 1 (5) Determine the upset price or lease rental, based upon
2 the fair market value of the land employed to the
3 specific use or uses for which the disposition is
4 being made, with due consideration for all of the
5 terms and conditions of the disposition;
- 6 (6) Determine the necessary conditions of disposition
7 which will discourage speculation;
- 8 (7) In the case of leases, determine the minimum tenure
9 necessary to support the intended use or uses and the
10 necessity for periodic rent openings in long-term
11 leases to assure the State a fair return;
- 12 (8) Prepare the proposed documents and make them available
13 for public inspection; and
- 14 (9) Determine, two years before the expiration of the term
15 of any lease, whether the premises are to be demised
16 for the same use or uses under a new lease or whether
17 all or any part thereof is to be reserved for other
18 use or uses and then promptly notify the lessee of the
19 determination.
- 20 (b) The board shall provide an online inventory accessible
21 to the public that lists any public lands that are leased or are
22 available for lease. The inventory shall include the county

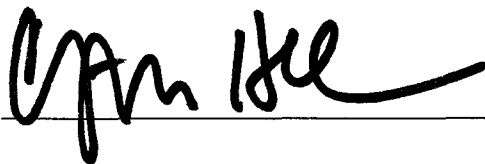


1 where the parcel is located, the size of the parcel, any
2 restrictions on use of the parcel that run with the land, and
3 the prospective or present use of the parcel for which the lease
4 was required."

5 SECTION 2. New statutory material is underscored.

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

7

INTRODUCED BY: 



Report Title:

DLNR; Public Lands; Leases; Online Inventory

Description:

Requires the department of land and natural resources to provide an online inventory accessible to the public listing any public lands which are leased or are available for lease.

