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# 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. Section 171-50, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:  
3           "(c) Legislative disapproval. Any exchange of public land  
4 for private land shall be subject to disapproval by the  
5 legislature by two thirds vote of either the senate or the house  
6 of representatives or by majority vote of both in any regular or  
7 special session following the date of the board of land and  
8 natural resources' approval in principle of the exchange. The  
9 state department or agency shall submit for introduction to the  
10 legislature a resolution for review of action on any exchange to  
11 be consummated by the board wherein exchange deeds will be  
12 executed by the parties together with the following information:  
13           (1) ~~[the]~~ The specific location and [area] size in square  
14               feet or in other precise measure of the parcels of  
15               land to be exchanged;  
16           (2) ~~[the]~~ The value of the lands to be conveyed by the  
17               State and the private party;



- 1 (3) ~~[the]~~ The name or names of the appraiser or
- 2 appraisers;
- 3 (4) ~~[the]~~ The date of the appraisal valuation; ~~[and]~~
- 4 (5) ~~[the]~~ The purpose for which the lands are being
- 5 exchanged[-];
- 6 (6) A detailed summary of any development plans for the
- 7 land to be exchanged; and
- 8 (7) A statement of whether the land is, or is not, land
- 9 that was classed as government or crown lands previous
- 10 to August 15, 1895, or was acquired by the State in
- 11 exchange for such lands, and a detailed explanation of
- 12 how the state department or agency made this
- 13 determination.

14 A copy of the draft resolution shall also be submitted to

15 the office of Hawaiian affairs ~~[when it is submitted to the~~

16 ~~legislature.]~~ at least three months prior to the convening of a

17 regular or special session of the legislature to allow the

18 office to determine whether the land was classed as government

19 or crown lands previous to August 15, 1895, or was acquired by

20 the State in exchange for such lands."

21 SECTION 2. Section 171-64.7, Hawaii Revised Statutes, is

22 amended by amending subsection (c) to read as follows:



1           "(c) The state department or agency proposing to sell or  
2 give any state land described in subsection (a) shall submit for  
3 introduction to the legislature a concurrent resolution for  
4 review of the proposed sale or gift. The concurrent resolution  
5 shall contain a list of all sales or gifts of state land  
6 proposed by the state department or agency. The concurrent  
7 resolution shall contain the following information:

- 8           (1) The specific location and [area] size in square feet  
9                 or in other precise measure of the parcels of land to  
10            be sold or given;
- 11           (2) The appraisal value of the land to be sold or given;
- 12           (3) The names of all appraisers performing appraisals of  
13            the land to be sold or given;
- 14           (4) The date of the appraisal valuation;
- 15           (5) The purpose for which the land is being sold or given;  
16                 [and]
- 17           (6) A detailed summary of any development plans for the  
18            land to be sold or given[-]; and
- 19           (7) A statement of whether the land is, or is not, land  
20                 that was classed as government or crown lands previous  
21                 to August 15, 1895, or was acquired by the State in  
22                 exchange for such lands, and a detailed explanation of



1           how the state department or agency made this  
2           determination.

3           A draft of the concurrent resolution for the prior approval  
4 of a sale or gift of land shall also be submitted to the office  
5 of Hawaiian affairs [~~when it is submitted to the legislature.~~]  
6 at least three months prior to the convening of a regular or  
7 special session of the legislature to allow the office to  
8 determine whether the land was classed as government or crown  
9 lands previous to August 15, 1895, or was acquired by the State  
10 in exchange for such lands."

11           SECTION 3. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13           SECTION 4. This Act shall take effect on January 7, 2059.



**Report Title:**

Office of Hawaiian Affairs; Lands Controlled by the State

**Description:**

Requires more specificity in all concurrent resolutions for the review of proposed exchanges, sales, or gifts of state land, including whether the land was classed as government or crown lands prior to August 15, 1895. Requires that a draft copy of the concurrent resolution be submitted to the Office of Hawaiian Affairs at least three months prior to the appropriate legislative session. Effective January 7, 2059. (HB397 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

