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# A BILL FOR AN ACT

RELATING TO PUBLIC LAND.

**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.~~] approval. Any exchange of  
4 public land for private land shall be subject to [~~disapproval by~~  
5 ~~the legislature by two thirds vote of either the senate or the~~  
6 ~~house of representatives or~~] approval by majority vote of both  
7 houses of the legislature in any regular or special session  
8 following the date of the board of land and natural resources'  
9 approval in principle of the exchange. The state department or  
10 agency shall submit for introduction to the legislature a  
11 resolution for review of action on any exchange to be  
12 consummated by the board wherein exchange deeds will be executed  
13 by the parties together with the following information:

14           (1) The specific location and size in square feet or in  
15           other precise measure of the parcels of land to be  
16           exchanged;

17           (2) The value of the lands to be conveyed by the State and  
18           the private party;



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

12 A copy of the draft resolution shall also be submitted to  
13 the office of Hawaiian affairs at least three months prior to  
14 the convening of a regular or special session of the legislature  
15 to allow the office to determine whether the land was classed as  
16 government or crown lands previous to August 15, 1895, or was  
17 acquired by the State in exchange for such lands."

18 SECTION 2. Section 171-50.2, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "§171-50.2 Exchanges for conversion of leasehold lands to  
21 fee simple ownership. The board may exchange public lands for  
22 private lands to be condemned or involuntarily sold pursuant to



1 chapter 516. [~~Such~~] An exchange shall be requested by the  
2 executive director of the Hawaii housing finance and development  
3 corporation, and shall be effected in conformity with section  
4 171-50; provided that [~~such~~] an exchange shall be subject to  
5 legislative [~~disapproval;~~] approval; provided further that the  
6 private lands conveyed to the State shall be disposed of  
7 pursuant to chapter 516; and provided further that lands  
8 exchanged need not be of like-kind or comparable use; provided  
9 further that no lands classified as conservation shall be  
10 exchanged for private 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 July 1, 2050.



**Report Title:**

Public Land Exchange; Legislative Approval

**Description:**

Amends the legislative approval requirement for any exchange of public land for private land to require a majority vote in both houses. Effective 7/1/2050. (SD1)

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

