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# A BILL FOR AN ACT

RELATING TO THE RIGHT OF FIRST REFUSAL FOR THE DISPOSITION OF  
REMNANTS.

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

1           SECTION 1. The purpose of this Act is to give the office  
2 of Hawaiian affairs the right of first refusal for any  
3 disposition of public lands classified as remnants under section  
4 171-52, Hawaii Revised Statutes.

5           SECTION 2. Section 171-52, Hawaii Revised Statutes, is  
6 amended by amending subsection (c) to read as follows:

7           "(c) Disposition. Remnants or portions thereof may be  
8 disposed of by the board of land and natural resources without  
9 recourse to public auction in the manner set forth herein. Any  
10 remnant or portion thereof to be disposed of shall be first  
11 offered for sale to the office of Hawaiian affairs at a  
12 reasonable price based on appraised value. The remnant or  
13 portion thereof shall be offered to the office of Hawaiian  
14 affairs for a reasonable amount of time prior to offering the  
15 remnant for sale to any other person or entity; provided that if  
16 the office of Hawaiian affairs elects to purchase the remnant,  
17 any abutting landowner whose access to a street requires an



1 easement across the remnant shall be offered such an easement  
2 for a reasonable amount of time and for a reasonable price based  
3 on appraised value, with the price of the remnant to be sold to  
4 the office of Hawaiian affairs reduced accordingly. If the  
5 office of Hawaiian affairs declines to purchase the remnant or  
6 portion thereof to be disposed, the remnant or portion thereof  
7 may then be offered for sale to the abutting owner for a  
8 reasonable period of time at a reasonable price based on  
9 appraised value. [~~In the event that~~] If one abutting landowner  
10 lacks access to a street, and [~~such~~] access can be secured by  
11 disposition of the remnant, [~~such~~] the remnant shall be first  
12 offered for sale to [~~such~~] the abutting owner, or subdivided so  
13 as to protect the access of all abutting landowners. If there  
14 is more than one abutting owner who is interested in purchasing  
15 the remnant, it shall be sold to the one submitting a sealed bid  
16 containing the highest offer above the appraised value. If the  
17 remnant abuts more than one parcel, the board may subdivide the  
18 remnant so that a portion thereof may be sold to each abutting  
19 owner at the appraised value; provided that no remnant shall be  
20 sold to any abutting owner unless the remnant, when combined or  
21 consolidated with the abutting property, shall constitute a lot



1 acceptable to the appropriate agency of the county in which the  
2 remnant lies; and provided further that appropriate language  
3 shall be included in any document of conveyance of [~~such~~] the  
4 remnant to assure use of the remnant in accordance with the  
5 applicable ordinances, rules, and regulations of the county  
6 concerned."

7 SECTION 3. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

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

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**Report Title:**

OHA Package; Disposition of Remnants; Right of First Refusal

**Description:**

Provides the office of Hawaiian affairs with the right of first refusal for any disposition of public lands classified as remnants. (SD1)

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

