

ACT 175

H. B. NO. 440

A Bill for an Act Relating to Exchanges of Public Lands.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 171-50, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Value. The public land exchange shall be of equal value and of use comparable to that of the private land prior to the exchange. **Provided, that**

if the use of private land prior to the exchange is any one of the following, (1) intensive agricultural or (2) pasture or (3) special livestock, and the State has no land within the land district of comparable specific use, the board of land and natural resources may exchange public land classified in any other of the three uses set forth above. In any exchange, the fair market value of the private land and the public land shall be separately determined by a disinterested qualified appraiser or appraisers and the cost shall be borne equally between the owner and the board. No payment by the State shall be required should the private land exceed the value of the public land, but any difference in value of the public land over the private land shall be paid to the State at the time of the exchange; provided, no exchange shall be made should public land exceed 120 per cent of the value of the private land.

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This act shall take effect upon its approval.

(Approved June 2, 1972.)

*Edited accordingly.