

ACT 233

H.B. NO. 3522

A Bill for an Act Relating to Public Lands.

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

SECTION 1. Section 171-17, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The sale price or lease rental of lands to be disposed of by drawing or by negotiation shall be no less than the value determined by [a]:

(1) An employee of the board qualified to appraise lands; or

(2) A disinterested appraiser or appraisers whose services shall be contracted for by the board, and such appraisal, and any further appraisal [made at the request of the purchaser and] with the approval of the board, shall be at the cost of the purchaser[.];

provided that the sale price or lease rental shall be determined by disinterested appraisal whenever prudent management so dictates; provided further that should the purchaser fail to agree upon the sale price or lease rental, the purchaser may appoint an appraiser who together with the board’s appraiser shall appoint a third appraiser, and the sale price or lease rental shall be determined by arbitration as provided for in chapter 658 which shall be final and binding. The purchaser shall pay for all appraisal costs, except that the cost of the third appraiser shall be borne equally by the purchaser and the board.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 18, 1996.)