

A Bill for an Act Relating to Public Notice Requirements for Public Land Dispositions.

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

SECTION 1. Section 171-16, Hawaii Revised Statutes, is amended to read as follows:

“§171-16 Notices. (a) Auctions. Public notice of any proposed disposition by auction shall be given at least once ~~[in each of three successive weeks statewide and, in addition, in the appropriate county, if the land is situated in the first, second, and fourth districts, the last public notice to be not less than ten days before the date of the auction.]~~ statewide and once in the county where the land being disposed of is located. Notice of the auction shall contain the following:

- (1) Time and place of the auction;
- (2) General description of the land, including the address and tax map key;
- (3) Specific use for which the disposition is intended; and
- (4) Upset price or rental to be charged. The maps showing the metes and bounds description and the classification of the land shall be kept in the office of the board of land and natural resources and of its land agent in the county in which the land is situated, and shall be open for inspection at all reasonable hours.

(b) Drawings. Whenever a disposition by drawing by lots is proposed, public notice inviting applications to participate in the drawing shall be given once ~~[a week for four successive weeks statewide and, in addition, in the appropriate county, if the land is situated in the first, second, and fourth districts.]~~ statewide and once in the county where the land being disposed of is located. The notice shall contain:

- (1) The qualifications required of applicants;
- (2) A general description of the land, including the address and tax map key;
- (3) Specific use for which the disposition is intended; and
- (4) Date by which all applications must be filed, which date shall be not less than fourteen days after the last notice.

Within forty-five days after the closing date for applications, the board shall select those qualified to participate in the drawing, notify all applicants as to whether or not they qualified, and conduct the drawing.

The notice of selection of applicants qualified to participate in the drawing, together with the notice of drawing, shall be mailed to each applicant, whether or not the applicant, in fact, qualified. The notice of the drawing shall state the time and place of the drawing. ~~[In addition to the notice to each applicant, the board shall give public notice of the drawing at least three times within a period of ten days statewide and, in addition, in the appropriate county, if the land is situated in the first, second, and fourth district, each notice to be not oftener than once in two successive days.]~~ Upon completion of the drawing, the award shall be announced within one week, and the lease or patent issued within ninety days after the drawing or when the conditions of the sale are fulfilled.

(c) Negotiation. Public notice of a proposed disposition by negotiation shall be given at least once ~~[in each of three successive weeks statewide and, in addition, in the appropriate county if the land is situated in the first, second, and fourth districts;]~~ statewide and once in the county where the land being disposed of is located; provided that the notices are not required for permits, and dispositions of remnants. The notice shall invite proposals and state in general terms the size,

location, and prices or rental of lots to be sold or leased, the terms of sale or lease, and the last date on which application will be received by the board, which date shall not be less than thirty days after the last date of the notice. The notice shall also state the times and places at which more detailed information with respect to the sale or lease may be secured by interested persons.

(d) Exchanges; quitclaim; submerged and reclaimed lands; reservations and easements. Whenever it is proposed to exchange public lands for private land pursuant to section 171-50, quitclaim public land or any interests of the State in private land pursuant to section 171-51, dispose of submerged or reclaimed public land pursuant to subsections (b) and (d) of section 171-53, dispose of a land license by negotiation pursuant to section 171-54, or dispose of reserved rights and easements pursuant to section 171-57, public notice of the disposition shall be given at least once ~~[in each of three successive weeks statewide and, in addition, in the appropriate county if the public land is situated in the first, second, and fourth districts.]~~ statewide and once in the county where the land or other interests being disposed of are located. The notice shall state in general terms the size and location of the public lands proposed to be disposed.

(e) In addition to giving public notice, any public notice required under this section shall also be posted on the Internet in an easily-located manner.”

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

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

(Approved May 31, 2001.)