



# University of Hawai'i at Mānoa

## Environmental Center

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### HB 695 RELATING TO PUBLIC LANDS

House Committee on  
Water and Land Use Planning

Public Hearing - February 28, 1995  
9:00 A.M., Room 1310 SOT

By

John T. Harrison, Environmental Center  
Jacquelin N. Miller, Environmental Center  
Suzanne Tiapula, School of Law

HB 695 would amend Section 171-53(c), HRS, to delete prior approval of the Legislature as a requirement for leasing of submerged lands, while establishing a provision for discretionary Legislative disapproval subsequent to the lease. Additionally, development agreements with the private sector to subdivide and develop public lands would no longer require prior gubernatorial or Legislative approval.

Our statement on this measure does not constitute an institutional position of the University of Hawaii.

Proposed amendments to Section 171-53 seem to be inconsistent with amended provisions of Section 171-60. In the first case, the governor's approval still is required for submerged lands leasing, yet that is not the case under the amended Section 171-60. In any event, given that public lands, held in trust by the government for the public's benefit, are being committed to development, it would seem appropriate that public input through legislative hearings should be preserved. While it may be argued that Legislative disapproval after-the-fact provides the public an opportunity to voice their concerns, we suggest that policymaking with regard to public trust lands deserves public input up front rather than retroactively.