
A BILL FOR AN ACT

RELATING TO CEDED LANDS.

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

1 SECTION 1. Section 171-18, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§171-18 Public land trust.** All funds derived from the
4 sale or lease or other disposition of public lands shall be
5 appropriated by the laws of the State; provided that all
6 proceeds and income from the sale, lease, or other disposition
7 of lands ceded to the United States by the Republic of Hawaii
8 under the joint resolution of annexation, approved July 7, 1898
9 (30 Stat. 750), or acquired in exchange for lands so ceded, and
10 returned to the State of Hawaii by virtue of section 5(b) of the
11 Act of March 18, 1959 (73 Stat. 6), and all proceeds and income
12 from the sale, lease or other disposition of lands retained by
13 the United States under sections 5(c) and 5(d) of the Act and
14 later conveyed to the State under section 5(e) shall be held as
15 a public trust for the support of the public schools and other
16 public educational institutions, for the betterment of the
17 conditions of native Hawaiians as defined in the Hawaiian Homes
18 Commission Act, 1920, as amended, for the development of farm



1 and home ownership on as widespread a basis as possible, for the
2 making of public improvements, and for the provision of lands
3 for public use.

4 (b) Notwithstanding any law to the contrary, the board
5 shall not, without the consent of the board of trustees of the
6 office of Hawaiian affairs, sell, exchange, or otherwise
7 alienate:

8 (1) Lands ceded to the United States by the Republic of
9 Hawaii under the joint resolution of annexation,
10 approved July 7, 1898 (30 Stat. 750), or acquired in
11 exchange for lands so ceded, and granted to the State
12 of Hawaii by virtue of section 5(b) of the Admission
13 Act of 1959; or

14 (2) Lands retained by the United States under sections
15 5(c) and 5(d) of the Admission Act of 1959 and later
16 conveyed to the State under section 5(e)."

17 SECTION 2. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun, before its effective date.

20 SECTION 3. New statutory material is underscored.



H.B. NO. 1197

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

2

INTRODUCED BY:

Calvin K. Y. Song

BY REQUEST:

JAN 22 2007



Report Title:

Public Land Trust; Ceded Lands; Office of Hawaiian Affairs

Description:

Prohibits the department of land and natural resources from selling, exchanging, or otherwise alienating lands contained in the public land trust without the consent of the board of trustees of the office of Hawaiian affairs.

