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## 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.** (a) All funds derived from  
4 the 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 sell, exchange, or otherwise alienate:

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

12 (2) Lands retained by the United States under section 5(c)  
13 and (d) of the Admission Act of 1959 and later  
14 conveyed to the State under section 5(e);

15 without the approval of the legislature by at least two-thirds  
16 majority vote of the members to which each house is entitled in  
17 any regular or special session in which both houses are in  
18 session following the date of approval of the sale, exchange, or  
19 other alienation action.

20 (c) The board shall submit for introduction to the  
21 legislature a concurrent resolution for its review on the sale,  
22 exchange, or other alienation of lands under this section



1 wherein the deeds for land shall be executed by the parties  
2 together with the following information:

3       (1) The location and area of the parcel or parcels of land  
4             to be sold, exchanged, or otherwise alienated;

5       (2) The value of the land or lands to be conveyed;

6       (3) The names of all appraisers performing appraisals of  
7             the parcel or parcels of land to be sold, exchanged,  
8             or otherwise alienated;

9       (4) The date of the appraisal valuation;

10       (5) The purpose for which the parcel or parcels of land is  
11             being sold, exchanged, or otherwise alienated; and

12       (6) A detailed summary of any development plans for which  
13             the parcel or parcels of land is to be sold,  
14             exchanged, or otherwise alienated."

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

18       SECTION 3. New statutory material is underscored.

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



**Report Title:**

Public Land Trust; Ceded Lands

**Description:**

Prohibits the department of land and natural resources from selling, exchanging, or otherwise alienating lands contained in the public land trust without the approval of the legislature.  
(SD1)

