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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. Chapter 171, Hawaii Revised Statutes, is  
2 amended by adding a new section to subpart D of part II to be  
3 appropriately designated and to read:  
4           "§171-       Disposition of ceded lands.   Notwithstanding any  
5 other law to the contrary, no agency shall auction, engage in  
6 any transaction, arrangement, or other activity that requires  
7 the sale, exchange, lease with option to purchase, transfer of  
8 title to another agency, or other alienation of ceded lands  
9 without first providing public notice of the meeting at which  
10 the transaction is scheduled to be discussed and allowing an  
11 opportunity for public input, by publishing a notice in the  
12 newspaper which is printed and issued at least twice weekly in  
13 the county affected by the proposed action, to inform the public  
14 of the time, place, and location of the ceded lands that are the  
15 subject of the proposed transaction. This requirement shall be  
16 in addition to any other procedures required by law.



1       As used in this section:

2       "Agency" means any department, agency, board, commission,  
3 authority, or committee of the State which is created by  
4 constitution, statute, rule, or executive order, to have  
5 supervision, control, jurisdiction, or advisory power over  
6 specific matters and which is required to conduct meetings and  
7 to take official actions.

8       "Ceded lands" means lands ceded to the United States by the  
9 Republic of Hawaii under the joint resolution of annexation,  
10 approved July 7, 1898 (30 Stat. 750), or acquired in exchange  
11 for lands so ceded and:

12       (1) Returned to the State of Hawaii by virtue of section  
13 5(b) of the Admission Act of 1959; or

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

17 or acquired in exchange for lands so returned or conveyed,  
18 regardless of the subsequent disposition of those lands."

19       SECTION 2. Act 125, Session Laws of Hawaii 2000, is  
20 amended by amending subsection (a) of section 5 to read as  
21 follows:



1           "(a) The auditor shall submit a progress report to the  
2 legislature no later than twenty days prior to the convening of  
3 the regular sessions of [~~2001 and 2002.~~] 2010 and 2015, and  
4 every five years thereafter until the public land trust  
5 inventory and the public land trust information system are  
6 complete. The progress report shall outline what needs to be  
7 done to complete the public land trust inventory and the public  
8 land trust information system, what progress has been made, and  
9 include any legislation the auditor deems necessary to  
10 facilitate the inventories and systems expeditious completion  
11 and support."

12           SECTION 3. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$                    or so much  
14 thereof as may be necessary for fiscal year 2008-2009 for the  
15 auditor to complete its progress report required in section 2 of  
16 this Act.

17           The sum appropriated shall be expended by the auditor for  
18 the purposes of carrying out section 2 of this Act.

19           SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval;  
2 provided that section 3 shall take effect on July 1, 2008.

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INTRODUCED BY:

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JAN 23 2008



**Report Title:**

Ceded Lands; Disposition; Inventory

**Description:**

Prohibiting the disposition of ceded lands without proper notice and public input. Also requires the Auditor to provide the Legislature with a progress report every 5 years on the status of the public land trust inventory and information system.

