

JAN 22 2007

S.B. NO. 1542

---

---

# 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.

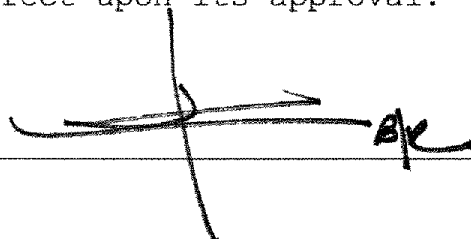


# S.B. NO. 1542

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

2

INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, consisting of a large, stylized 'A' or 'K' shape with a horizontal line extending to the right, ending in a small flourish.

**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.

