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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO REFRAIN  
FROM SELLING, EXCHANGING, OR OTHERWISE ALIENATING LANDS IN  
THE PUBLIC LAND TRUST.

1           WHEREAS, ceded lands are the former crown and government  
2 lands of the Kingdom of Hawaii that were transferred to the  
3 United States as part of Hawaii's annexation in 1898 and granted  
4 to the State of Hawaii upon statehood in 1959; and

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6           WHEREAS, section 5(f) of the Admission Act requires that  
7 the State hold the ceded lands and proceeds and income therefrom  
8 in a public trust for several purposes, including the betterment  
9 of the conditions of native Hawaiians; and

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11           WHEREAS, the 1993 Congressional Apology Resolution  
12 recognized that the overthrow of the Kingdom of Hawaii was  
13 illegal, the taking of the Kingdom's crown, government, and  
14 public lands was without consent or compensation, and the  
15 indigenous Hawaiian people never directly relinquished their  
16 claims over their national lands to the United States; and

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18           WHEREAS, native Hawaiians have unrelinquished claims to the  
19 ceded lands; and

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21           WHEREAS, the issue is now on appeal before the United  
22 States Supreme Court; and

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24           WHEREAS, until the claims of native Hawaiians are resolved,  
25 the Board of Land and Natural Resources should not sell,  
26 exchange, or otherwise alienate the lands ceded to the United  
27 States by the Republic of Hawaii under the joint resolution of  
28 annexation, approved on July 7, 1898 (30 Stat. 750), or acquired  
29 in exchange for the ceded lands and returned to the State of  
30 Hawaii by virtue of section 5(b) of the Act of March 18, 1959  
31 (73 Stat. 5), and lands retained by the United States under



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1 section 5(c) and 5(d) of the Act of March 18, 1959 (73 Stat. 5)  
 2 and later conveyed to the State under section 5(e) or under the  
 3 Act of December 23, 1964 (77 Stat. 472); now, therefore,  
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5 BE IT RESOLVED by the House of Representatives of the  
 6 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
 7 of 2009, the Senate concurring, the Board of Land and Natural  
 8 Resources is requested to refrain from selling, exchanging, or  
 9 otherwise alienating land in the public land trust until the  
 10 native Hawaiians' unrelinquished claims to ceded lands are  
 11 resolved; and  
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13 BE IT FURTHER RESOLVED that certified copies of this  
 14 Concurrent Resolution be transmitted to Chairperson of the Board  
 15 of Land and Natural Resources and the Chairperson of the Board  
 16 of Trustees of the Office of Hawaiian Affairs.  
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 18  
 19



OFFERED BY:

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