
HOUSE CONCURRENT RESOLUTION

REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO REFRAIN
FROM SELLING OR EXCHANGING 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, in Act 359, Session Laws of Hawaii 1993, the
19 Legislature recognized that the overthrow was illegal, and found
20 that "[i]n 1898, Hawaii was annexed to the United States through
21 the Newlands Resolution without the consent of or compensation
22 to the indigenous people of Hawaii or their sovereign
23 government"; and

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25 WHEREAS, native Hawaiians have unrelinquished claims to the
26 ceded lands; and

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28 WHEREAS, until the claims of native Hawaiians are resolved,
29 the Board of Land and Natural Resources should not sell or
30 exchange the lands ceded to the United States by the Republic of
31 Hawaii under the joint resolution of annexation, approved on
32 July 7, 1898 (30 Stat. 750), or acquired in exchange for the



1 ceded lands and returned to the State of Hawaii by virtue of
2 section 5(b) of the Act of March 18, 1959 (73 Stat. 5), and
3 lands retained by the United States under section 5(c) and 5(d)
4 of the Act of March 18, 1959 (73 Stat. 5), and later conveyed to
5 the State under section 5(e) or under the Act of December 23,
6 1964 (77 Stat. 472); now, therefore,
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8 BE IT RESOLVED by the House of Representatives of the
9 Twenty-fifth Legislature of the State of Hawaii, Regular Session
10 of 2009, the Senate concurring, that the Board of Land and
11 Natural Resources is requested to refrain from selling or
12 exchanging land in the public land trust, crown lands,
13 government lands, lands identified in section 5 of the Admission
14 Act, and lands held by the Hawaiian Kingdom as of 1893, until
15 the native Hawaiians' unrelinquished claims to said lands are
16 resolved; and
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18 BE IT FURTHER RESOLVED that certified copies of this
19 Concurrent Resolution be transmitted to the Chairperson of the
20 Board of Land and Natural Resources and the Chairperson of the
21 Board of Trustees of the Office of Hawaiian Affairs.

