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CHRONOLOGY LEADING TO THE SETTLEMENT

Year	Event	Significance
1848	Māhele Kamehameha III divided the lands into crown lands (owned by the King) and government lands (owned by chiefs for the benefit of the people). Konohiki were granted smaller units of land.	Concept of individual ownership introduced with the requirement of registration of ownership with the Land Commission. Crown (915,000 acres) and government (1,495,000 acres) lands were always held for the benefit of all the Hawaiian people. Konohiki lands could be owned by private individuals.
1893	Overthrow of the Kingdom of Hawai'i Congress later apologized for action of U.S. representatives in the illegal overthrow in Public Law 103-150 signed November 1993.	Crown and government lands were taken without consent of or compensation to the Kingdom of Hawai'i or the Hawaiian people.
1898	Annexation of Hawai'i to the U.S. Joint Resolution passed by Congress recognized unique conditions in Hawai'i relating to public lands impressed with a public trust.	Republic of Hawai'i ceded 1.8 million acres of crown, government, and public lands of the Kingdom of Hawai'i to the U.S. government.
1900	Territory of Hawai'i established Organic Act of April 30, 1900 formally established the Territory of Hawai'i.	Territory given administrative control and use of ceded lands, but U.S. reserved right to set aside lands by executive order for use by U.S. government.
1921	Hawaiian Homes Commission Act	Set aside 200,000 acres of public land in trust for rehabilitation of native Hawaiians.
1959	Admission Act Hawai'i admitted into the U.S. as a State.	Section 5(a) gives State title to ceded and non-ceded lands. Section 5(b) gives State title to 1.4 million acres of ceded lands (including 200,000 set aside for Hawaiian Homes) to be held in trust for five purposes stated in Section

		5(f): public schools, betterment of conditions of native Hawaiians, farm & home ownership, public improvements.
1978	Hawaii State Constitutional Convention Delegates to 1978 Constitutional Convention adopted, and voters ratified, Article XII establishing Office of Hawaiian Affairs and its funding source.	Section 4 identifies 5(b) lands to serve as a public trust Section 6 gives OHA power to manage and administer income and proceeds from the public land trust.
1979	Legislature approved legislation establishing OHA	Legislation became Chapter 10 of Hawai'i Revised Statutes. Section 10-3 provides for a pro rata portion of all funds derived from the public land trust to be used by OHA.
1980	Legislature approved Act 273 Legislation did not address public lands outside jurisdiction of DLNR, including those set aside for UH, DOE, DOT.	The Act became HRS Section 10-3 which provides for 20 percent of all funds derived from public land trust to be used by OHA for Native Hawaiians.
1990	Legislature approved Act 304 The Act attempted to identify the lands in the public trust, type of revenue which would go to OHA, and formula for past and future income to OHA.	The Act amended HRS Section 10-13.5. Except for Hawaiian Homes trust lands, all public lands identified as 5(b) and those administered by the DLNR, DOT and other state departments were potentially subject to the 20-percent income formula for OHA. It also mandated negotiations between the State and OHA to determine the amount owed OHA for the use of public lands from 1980 through 1991.
1993	President Bill Clinton signed Public Law 103-150, the Apology Bill On the 100 th anniversary of the overthrow of the Kingdom of Hawai'i, Congress offered an apology for the role of U.S. representatives in the overthrow.	The Apology Bill acknowledged U.S. participation in the illegal overthrow and that 1.8 million acres of crown, government and public lands of the Kingdom of Hawai'i was ceded <i>without the consent of or compensation to the Native Hawaiian people of their sovereign government.</i>
1993	Legislature approves Act 35 OHA and the State reached agreement for partial settlement based on process set forth in Act 304.	OHA and the State signed a memorandum for partial settlement of \$130 million for past amounts due plus interest. The memorandum recognized not all issues had been resolved by Act 35.
1994	OHA vs. State of Hawai'i OHA filed suit seeking payment of disputed public land trust revenues.	Disputed revenues include receipts from sources such as the Waikiki Duty Free Shop, State hospitals, Hawai'i Housing Authority.

1996	State Circuit Court Judge Daniel Heely ruled in favor of OHA The case appealed to the Hawai'i Supreme Court.	Judge Heely ruled the State, as trustee of Public Land Trust, had been withholding portion of trust funds, and <i>OHA is entitled to a 20-percent share of disputed revenues.</i>
1996	U.S. Department of Transportation Inspector General supported State position against \$30 million payment to OHA from airport revenues.	Inspector General concluded payment to OHA was "diversion of airport revenue" and violated federal law. Congress passed Forgiveness Act in 1997, waiving repayment of past diversions for betterment of Hawaiians and forbidding further payments from airport revenues.
1997	Legislature approved Act 329 Suspended terms of Act 304 and froze payments to OHA.	Pro-rated payments from the public land trust to OHA set at \$15.1 million from 1997 to 1999. An 8-member committee established to resolve outstanding issues, but the committee was unable to make progress and no report was issued.
2001	Hawai'i State Supreme Court invalidated Act 304 Court concluded Act 304 was inconsistent with Forgiveness Act and the issue must be resolved by legislation.	The Supreme Court acknowledged the State's obligation to OHA was firmly established in the State Constitution. However, Governor Ben Cayetano terminated public land trust payments to OHA.
2003	Governor Linda Lingle issued Executive Order 03-03	Payment to OHA of undisputed revenues from the Public Land Trust resumed. OHA's portion was set at \$9 million annually.
2006	Hawai'i Supreme Court ruled Legislature has constitutional obligation to pay OHA	The Supreme Court said the Legislature, not Courts, must resolve the amount of income and proceeds to OHA. The Court reaffirmed the State's obligation under Article XII, Section 6, of the State Constitution.
2006	Legislature approved Act 178 Annual payment to OHA increased.	OHA's annual payment was set at \$15.1 million with a one-time catch-up payment of \$17.5 million from 2001.
2008	Settlement for past due payments from 1978 to 2008	State and OHA finally settle past due amount at \$200 million payable in land and cash, and establish minimum annual payment at \$15.1 million from 7/1/08 going forward.