

# A BILL FOR AN ACT

OF  
RELATING TO PROTECTION/INTERESTS IN LAND.

A HOMERULE MOVEMENT PROPOSAL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Purpose. The Legislature finds that it is of  
2 paramount necessity to protect the fundamental rights of persons  
3 having title to land and easements, or rights in land possessed  
4 in fee simple within the State. Though these persons are afforded  
5 minimal procedural safeguards under existing statutes, due to the  
6 specialized, complicated nature of land actions, many of these  
7 persons are not afforded actual due process. *minimal applicant laws*

8 The purpose of this Act is to guarantee unto these persons  
9 legal assistance.

10 SECTION 2. There is hereby created within the Judicial  
11 Branch a division to be known as Kahu Aina.

12 SECTION 3. The office of Kahu Aina shall be responsible for  
the exercise of the following responsibilities:

- (1) Reviewing all petitions to quiet title or Land Court applications to determine whether the petitioner or

1 applicant has exercised good faith and due diligence  
 2 in locating those persons with interest in the parcel  
 3 of land described in the petition or application, making  
 4 a report to the Court wherein which the petition or  
 5 application is filed or to be filed regarding the lack  
 6 of good faith and due diligence of the petitioner or  
 7 applicant.

8 (2) Preparing an abstract of title to ascertain the authenti-  
 9 city of the interest of the persons responding to the  
 10 petition or application.

11 (3) Providing said persons responding to the petition or  
 12 application with legal assistance and counsel and  
 13 contesting said petition or application.

14 SECTION 4. There shall be appropriated \$ \_\_\_\_\_ from  
 15 the General Fund to accomplish the purposes of this Act.

16 INTRODUCED BY: James Bessie

17  
 18 *read title abstract this yr. not good to push bill*  
 19 *bill known aware - so report session*  
 20 *will pass*

MAR 4 1974

*get AN LEGIS, ASSIGNED TO COMMITTEE;*  
*SHORT FORM BILL*