
HOUSE RESOLUTION

REQUESTING THAT THE GOVERNOR WITHDRAW THE STATE'S PETITION FOR WRIT OF CERTIORARI IN HAWAII V. OFFICE OF HAWAIIAN AFFAIRS, NO. 07-1372 IN THE SUPREME COURT OF THE UNITED STATES.

1 WHEREAS, in *Office of Hawaiian Affairs v. Housing and*
2 *Community Development Corporation of Hawaii*, 117 Hawaii 174, 117
3 P.3d 884 (2008), the Hawaii Supreme Court unanimously ruled that
4 the State could not sell or exchange any ceded lands held by the
5 State that are in the public land trust until the native
6 Hawaiians' unrelinquished claims to those lands have been
7 resolved; and

8
9 WHEREAS, the State, seeking review by the United States
10 Supreme Court of the decision of the Hawaii Supreme Court, filed
11 a petition for writ of certiorari on April 29, 2008, that was
12 granted on October 1, 2008; and

13
14 WHEREAS, oral arguments in this case, *Hawaii v. Office of*
15 *Hawaiian Affairs*, No. 07-1372, are scheduled for Wednesday,
16 February 25, 2009, in the United States Supreme Court; and

17
18 WHEREAS, the State's decision to bring to the United States
19 Supreme Court a matter that can and should be resolved in Hawaii
20 undermines the State's sovereignty and is contrary to the
21 ongoing reconciliation process with native Hawaiians; now,
22 therefore,

23
24 BE IT RESOLVED by the House of Representatives of the
25 Twenty-fifth Legislature of the State of Hawaii, Regular Session
26 of 2009, that the Governor is requested to withdraw the State's
27 petition for writ of certiorari in *Hawaii v. Office of Hawaiian*
28 *Affairs*, No. 07-1372 in the Supreme Court of the United States;
29 and

30
31 BE IT FURTHER RESOLVED that certified copies of this
32 Resolution be transmitted to the Governor, the Attorney General
33 of the State of Hawaii, the President of the Senate, the Speaker



H.R. NO. 62

1 of the House of Representatives, and the Chairperson of the
2 Board of Trustees of the Office of Hawaiian Affairs.

3
4
5

OFFERED BY: Mele Carroll

Karen Curran DELL

Cindy Evans

[Signature]

[Signature]

Tan Brown

Della A. Adetti

[Signature]

John M. [Signature]

ACORR. [Signature]

[Signature]

