

STAND. COM. REP. NO. 993

Honolulu, Hawaii

March 18, 2011

RE: S.B. No. 1
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred
S.B. No. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO STATE RECOGNITION OF THE
NATIVE HAWAIIAN PEOPLE, THEIR LANDS, ENTITLEMENTS, HEALTH,
EDUCATION, WELFARE, HERITAGE, AND CULTURE,"

begs leave to report as follows:

The purpose of this measure is to recognize native Hawaiians
as the only indigenous, aboriginal, maoli population of Hawaii and
to support the organization of a native Hawaiian governing entity.

Specifically, the measure:

- (1) Establishes a nine-member native Hawaiian roll
commission to prepare and maintain a roll of qualified
native Hawaiians;
- (2) Requires the commission, after publication of the roll,
to appoint an interim council of nine members from the
roll to commence the organization of a convention of
qualified native Hawaiians;
- (3) Requires the Governor to dissolve the commission after
an interim council is appointed; and
- (4) Appropriates unspecified funds.



Your Committee received testimony in support of this measure from Maunaloa Hawaiian Civic Club, Native Hawaiian Chamber of Commerce, Association of Hawaiian Civic Clubs, IMU Alliance, a Hawaii state senator, and one private individual. The Department of Hawaiian Home Lands supported the purpose and intent of the measure.

Your Committee received testimony in opposition to this measure from two individuals.

Your Committee received comments on this measure from the Aha Kiole Advisory Committee and the Office of Hawaiian Affairs.

Your Committee has amended this measure by:

- (1) Revising the definition of the term "qualified native Hawaiian" from descendants whose peoples "exercised sovereignty and subsisted in the Hawaiian Islands, and which peoples thereafter have continued to reside in the Hawaiian Islands" to descendants whose people, "prior to 1778, occupied and exercised sovereignty in the Hawaiian Islands, the area that now constitutes the State of Hawaii,";
- (2) Requiring a qualified native Hawaiian to have maintained a significant cultural, social, or civic connection to the native Hawaiian community;
- (3) Eliminating the interim council;
- (4) Providing for a native Hawaiian convention, which may be commenced by qualified native Hawaiians following the publication of the roll of qualified native Hawaiians;
- (5) Requiring that the Governor dissolve the commission upon being informed that the commission has published notice of the updated roll, rather than after the appointment of the interim council; and
- (6) Making technical, nonsubstantive changes for the purposes of style, clarity, and consistency.



As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Hawaiian Affairs,




FAYE HANOHANO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR993

Record of Votes of the Committee on Hawaiian Affairs

Bill/Resolution No.: SBI SV 2	Committee Referral: HAW, JUD, FIN	Date: 3/16/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HAW Members	Ayes	Ayes (WR)	Nays	Excused
1. HANOHANO, Faye P. (C)	✓			
2. LEE, Chris (VC)	✓			
3. BELATTI, Della Au	✓			
4. JORDAN, Jo		✓		
5. MIZUNO, John M.	✓			
6. MORIKAWA, Dee	✓			
7. WOOLEY, Jessica	✓			
8. YAMANE, Ryan I.				✓
9. PINE, Kymberly Marcos		✓		
10. WARD, Gene		✓		
TOTAL (10)	6	3	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				