

JAN 25 2012

A BILL FOR AN ACT

RELATING TO THE NATIVE HAWAIIAN ORGANIZATION NOTIFICATION LIST.

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

1 SECTION 1. The legislature finds that the Office of
2 Hawaiian Relations within the Office of the Secretary, United
3 States Department of the Interior, created the Native Hawaiian
4 Organization Notification List in 2007 in order to:

5 (1) Assist the Department of the Interior and other
6 agencies to locate, communicate, and consult with
7 interested Native Hawaiian organizations per the
8 statutory notification obligations under laws such as
9 the National Environmental Policy Act, the National
10 Historic Preservation Act, and the Native American
11 Graves Protection and Repatriation Act or when
12 otherwise desired; and

13 (2) Promote networking, articulation, and collaboration
14 among all Native Hawaiian organizations.

15 The purpose of this Act is to require the office of
16 Hawaiian affairs to make accessible the federal Native Hawaiian
17 Organizations Notification List to identify organizations to
18 which state agencies may disseminate information, and with which



1 state agencies may communicate regarding issues that may affect
2 Native Hawaiians, including kuleana lands and curatorship.

3 SECTION 2. Section 10-3, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§10-3 Purpose of the office.** The purposes of the office
6 of Hawaiian affairs include:

7 (1) The betterment of conditions of native Hawaiians. A
8 pro rata portion of all funds derived from the public
9 land trust shall be funded in an amount to be
10 determined by the legislature for this purpose, and
11 shall be held and used solely as a public trust for
12 the betterment of the conditions of native Hawaiians.
13 For the purpose of this chapter, the public land trust
14 shall be all proceeds and income from the sale, lease,
15 or other disposition of lands ceded to the United
16 States by the Republic of Hawaii under the joint
17 resolution of annexation, approved July 7, 1898 (30
18 Stat. 750), or acquired in exchange for lands so
19 ceded, and conveyed to the State of Hawaii by virtue
20 of section 5(b) of the Act of March 18, 1959 (73 Stat.
21 4, the Admissions Act), (excluding therefrom lands and
22 all proceeds and income from the sale, lease, or



1 disposition of lands defined as "available lands" by
2 section 203 of the Hawaiian Homes Commission Act,
3 1920, as amended), and all proceeds and income from
4 the sale, lease, or other disposition of lands
5 retained by the United States under sections 5(c) and
6 5(d) of the Act of March 18, 1959, later conveyed to
7 the State under section 5(e);

8 (2) The betterment of conditions of Hawaiians;

9 (3) Serving as the principal public agency in this State
10 responsible for the performance, development, and
11 coordination of programs and activities relating to
12 native Hawaiians and Hawaiians[+] including making the
13 most recent version of the federal Native Hawaiian
14 Organization Notification List available to state
15 agencies and, upon request, other interested parties
16 as a resource by which agencies may disseminate
17 information and locate organizations to contact
18 regarding issues such as kuleana lands and
19 curatorship; except that the Hawaiian Homes Commission
20 Act, 1920, as amended, shall be administered by the
21 Hawaiian homes commission;



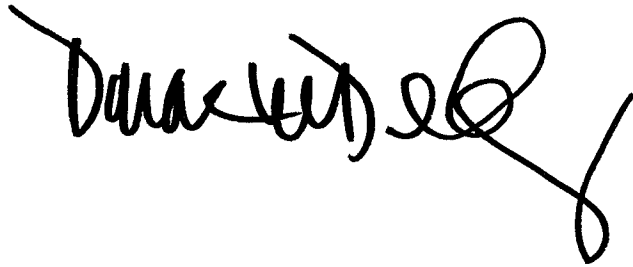
- 1 (4) Assessing the policies and practices of other agencies
- 2 impacting on native Hawaiians and Hawaiians, and
- 3 conducting advocacy efforts for native Hawaiians and
- 4 Hawaiians;
- 5 (5) Applying for, receiving, and disbursing, grants and
- 6 donations from all sources for native Hawaiian and
- 7 Hawaiian programs and services; and
- 8 (6) Serving as a receptacle for reparations."

9 SECTION 3. Statutory material to be repealed is bracketed
 10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

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S.B. NO. 2894

Report Title:

Native Hawaiian Organization Notification List; Office of
Hawaiian Affairs

Description:

Requires the office of Hawaiian affairs to make accessible a copy of the federal Native Hawaiian Organization Notification List so that it may serve as a resource by which state agencies and other interested parties may direct information dissemination and address topics including kuleana lands and curatorship.

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