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# A BILL FOR AN ACT

RELATING TO PRODUCTION OF RECORDS.

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

1           SECTION 1. Chapter 10H, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§10H-    Reports. The Native Hawaiian roll commission, in  
5 cooperation with the office of Hawaiian affairs, shall submit an  
6 annual report to the governor and the legislature no later than  
7 twenty days prior to the convening of each regular session,  
8 beginning with the regular session of 2014, on the status of the  
9 preparation of a roll of qualified Native Hawaiians,  
10 expenditures related to the responsibilities of the Native  
11 Hawaiian roll commission, and any concerns or recommendations as  
12 deemed appropriate by the Native Hawaiian roll commission."

13           SECTION 2. Section 10H-3, Hawaii Revised Statutes, is  
14 amended by amending subsection (a) to read as follows:

15           "(a) There is established a five-member Native Hawaiian  
16 roll commission within the office of Hawaiian affairs for  
17 administrative purposes only. The Native Hawaiian roll  
18 commission shall be responsible for:



- 1 (1) Preparing and maintaining a confidential roll of  
2 qualified Native Hawaiians;
- 3 (2) Certifying that the individuals on the roll of  
4 qualified Native Hawaiians meet the definition of  
5 qualified Native Hawaiians. For purposes of  
6 establishing the roll, a "qualified Native Hawaiian"  
7 means an individual [~~who~~] whom the commission  
8 determines has satisfied the following criteria and  
9 who makes a written statement certifying that the  
10 individual:

11 (A) Is:

12 (i) An individual who is a descendant of the  
13 aboriginal peoples who, prior to 1778,  
14 occupied and exercised sovereignty in the  
15 Hawaiian islands, the area that now  
16 constitutes the State of Hawaii; [~~or~~]

17 (ii) An individual who is one of the indigenous,  
18 native people of Hawaii and who was eligible  
19 in 1921 for the programs authorized by the  
20 Hawaiian Homes Commission Act, 1920, or a  
21 direct lineal descendant of that individual;

22 or



1            (iii) An individual who meets the ancestry  
2            requirements of Kamehameha Schools or of the  
3            Hawaiian registry program of the office of  
4            Hawaiian affairs;

5            (B) Has maintained a significant cultural, social, or  
6            civic connection to the Native Hawaiian community  
7            and wishes to participate in the organization of  
8            the Native Hawaiian governing entity; and

9            (C) Is eighteen years of age or older; [~~and~~]

10           (3) Receiving and maintaining documents that verify  
11           ancestry; cultural, social, or civic connection to the  
12           Native Hawaiian community; and age from individuals  
13           seeking to be included in the roll of qualified Native  
14           Hawaiians. Notwithstanding any other law to the  
15           contrary, these verification documents shall be  
16           confidential[-]; and

17           (4) Notwithstanding any other law to the contrary,  
18           including in the roll of qualified Native Hawaiians  
19           all individuals already registered with the State as  
20           verified Hawaiians or Native Hawaiians through the  
21           office of Hawaiian affairs or the department of  
22           Hawaiian home lands and extending to those individuals



1           all rights and recognitions conferred upon other  
2           members of the roll."

3           SECTION 3. Act 195, Session Laws of Hawaii 2011, is  
4 amended by amending section 3 to read as follows:

5           ~~"SECTION 3. [The Hawaiian Homes Commission Act, 1920,~~  
6 ~~shall be amended, subject to approval by the United States~~  
7 ~~Congress, if necessary, to accomplish the purposes set forth in~~  
8 ~~this Act in a manner that is expeditious, timely, and consistent~~  
9 ~~with the current needs and requirements of the Native Hawaiian~~  
10 ~~people and the current beneficiaries of the Hawaiian Homes~~  
11 ~~Commission Act, 1920.] Repealed."~~

12           SECTION 4. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14           SECTION 5. This Act shall take effect on July 1, 2013.



**Report Title:**

Native Hawaiians; Recognition; Native Hawaiian Roll Commission

**Description:**

Requires annual reports from the Native Hawaiian Roll Commission. Amends the definition of "qualified Native Hawaiian" to include individuals who meet certain expanded ancestry requirements. Establishes that the Native Hawaiian roll commission is responsible for including in the roll all individuals already registered as Hawaiians or Native Hawaiians through the office of Hawaiian affairs or the department of Hawaiian home lands. Repeals directive in Act 195, SLH 2011, to amend the Hawaiian Homes Commission Act to effectuate the purposes of Act 195. (Proposed SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

