
A BILL FOR AN ACT

RELATING TO THE HAWAIIAN ROLL COMMISSION.

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

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

4 "PART . NATIVE HAWAIIAN RECOGNITION

5 §10-A Statement of recognition. The Native Hawaiian
6 people are hereby recognized as the only indigenous, aboriginal,
7 maoli people of Hawaii.

8 §10-B Purpose. The purpose of this part is to authorize
9 the office to provide for and implement the recognition of the
10 Native Hawaiian people by means and methods that will facilitate
11 their self-governance, including the establishment of, or the
12 amendment to, programs, entities, and other matters pursuant to
13 law that relate, or affect ownership, possession, or use of
14 lands by the Native Hawaiian people, and by further promoting
15 their culture, heritage, entitlements, health, education, and
16 welfare.



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1 §10-C Native Hawaiian roll commission. (a) The office
2 may establish a five-member Native Hawaiian roll commission
3 which shall be responsible for:

4 (1) Preparing and maintaining a roll of qualified Native
5 Hawaiians;

6 (2) Certifying that the individuals on the roll of
7 qualified Native Hawaiians meet the definition of
8 qualified Native Hawaiians. For purposes of
9 establishing the roll, a "qualified Native Hawaiian"
10 means an individual whom the commission determines has
11 satisfied the following criteria and who makes a
12 written statement certifying that the individual:

13 (A) Is:

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

19 (ii) An individual who is one of the indigenous,
20 native people of Hawaii and who was eligible
21 in 1921 for the programs authorized by the



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1 Hawaiian Homes Commission Act, 1920, or a
2 direct lineal descendant of that individual;
3 or

4 (iii) An individual who meets the ancestry
5 requirements of Kamehameha Schools or of any
6 Hawaiian registry program of the office;

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

11 (C) Is eighteen years of age or older;

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

19 (4) Notwithstanding any other law to the contrary,
20 including in the roll of qualified Native Hawaiians
21 all individuals already registered with the State as



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1 verified Hawaiians or Native Hawaiians through the
2 office as demonstrated by the production of relevant
3 office of Hawaiian affairs records, and extending to
4 those individuals all rights and recognitions
5 conferred upon other members of the roll.

6 (b) If the commission is established, no later than one
7 hundred eighty days after the establishment of the commission,
8 the board of trustees shall appoint the members of the Native
9 Hawaiian roll commission from nominations submitted by qualified
10 Native Hawaiians and qualified Native Hawaiian membership
11 organizations. For the purposes of this subsection, a qualified
12 Native Hawaiian membership organization includes an organization
13 that, on the day of appointment, has been in existence for at
14 least ten years, and whose purpose has been and is the
15 betterment of the conditions of the Native Hawaiian people.

16 In selecting the five members from nominations submitted by
17 qualified Native Hawaiians and qualified Native Hawaiian
18 membership organizations, the board of trustees shall appoint
19 the members as follows:

20 (1) One member shall reside in the county of Hawaii;



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1 (2) One member shall reside in the city and county of
2 Honolulu;

3 (3) One member shall reside in the county of Kauai;

4 (4) One member shall reside in the county of Maui; and

5 (5) One member shall serve at-large.

6 (c) A vacancy on the commission shall not affect the
7 powers of the commission and shall be filled in the same manner
8 as the original appointment.

9 (d) Members of the commission shall serve without
10 compensation but shall be allowed travel expenses, including per
11 diem in lieu of subsistence while away from their homes or
12 regular places of business in the performance of services for
13 the commission.

14 (e) The commission may fix the compensation of the
15 executive director and other commission personnel.

16 (f) The commission may procure temporary and intermittent
17 services.

18 §10-D Notice of qualified Native Hawaiian roll. (a) If
19 the commission is established, the commission shall publish
20 notice of the certification of the qualified Native Hawaiian
21 roll, update the roll as necessary, and publish notice of the



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1 updated roll of qualified Native Hawaiians; provided that the
2 commission shall not publish or release any verification
3 documents of any qualified Native Hawaiian on the roll.

4 (b) The publication of the initial and updated rolls shall
5 serve as the basis for the eligibility of qualified Native
6 Hawaiians whose names are listed on the rolls to participate in
7 the organization of the Native Hawaiian governing entity.

8 **§10-E Native Hawaiian convention.** The publication of the
9 roll of qualified Native Hawaiians, as provided in section 10-D,
10 is intended to facilitate the process under which qualified
11 Native Hawaiians may independently commence the organization of
12 a convention of qualified Native Hawaiians, established for the
13 purpose of organizing themselves.

14 **§10-F Dissolution of the Native Hawaiian roll commission.**
15 The board of trustees shall dissolve the Native Hawaiian roll
16 commission upon being informed by the Native Hawaiian roll
17 commission that it has published notice of any updated roll of
18 qualified Native Hawaiians, as provided in section 10-D, and
19 thereby completed its work.

20 **§10-G No diminishment of rights or privileges.** Nothing
21 contained in this part shall diminish, alter, or amend any



1 existing rights or privileges enjoyed by the Native Hawaiian
2 people that are not inconsistent with this part.

3 §10-H Reaffirmation of delegation of federal authority;
4 governmental authority and power; negotiations. (a) The
5 delegation by the United States of authority to the State of
6 Hawaii to address the conditions of the indigenous, native
7 people of Hawaii contained in the Act entitled "An Act to
8 Provide for the Admission of the State of Hawaii into the
9 Union", approved March 18, 1959 (Public Law 86-3), is
10 reaffirmed.

11 (b) Consistent with the policies of the State of Hawaii,
12 the members of the qualified Native Hawaiian roll, and their
13 descendants, shall be acknowledged by the State of Hawaii as the
14 indigenous, aboriginal, maoli population of Hawaii.

15 §10-I Disclaimer. Nothing in this part is intended to
16 serve as a settlement of any claims against the State of Hawaii,
17 or affect the rights of the Native Hawaiian people under state,
18 federal, or international law."

19 SECTION 2. Chapter 10H, Hawaii Revised Statutes, is
20 repealed.



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1 SECTION 3. Act 195, Session Laws of Hawaii 2011, is
2 repealed.

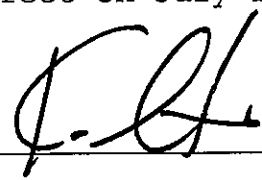
3 SECTION 4. All appropriations, records, equipment,
4 machines, files, supplies, contracts, books, papers, documents,
5 maps, and other personal property heretofore made, used,
6 acquired, or held by the Native Hawaiian roll commission shall
7 be transferred to the office of Hawaiian affairs.

8 SECTION 5. In codifying the new sections added by section
9 1 of this Act, the revisor of statutes shall substitute
10 appropriate section numbers for the letters used in designating
11 the new sections in this Act.

12 SECTION 6. This Act shall take effect on July 1, 2015.

13

INTRODUCED BY: _____



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Report Title:

Native Hawaiian Roll Commission; OHA

Description:

Dissolves the Native Hawaiian roll commission. Authorizes OHA to reestablish the Native Hawaiian roll commission. Transfers remaining property to OHA.

