
HOUSE CONCURRENT RESOLUTION

URGING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO DEVELOP RECOMMENDATIONS ON APPROACHES TO SPECIFICALLY ADDRESS HAWAIIAN NATIONALITY AS A CATEGORY OF PROHIBITED DISCRIMINATION.

1 WHEREAS, current state laws prohibit discrimination against
2 a person based solely on national origin, ancestry, race, color,
3 religion, disability, sex, marital status, sexual orientation,
4 or age; and

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6 WHEREAS, discrimination is carried out against many
7 indigenous people who are recognized as Native Hawaiians under
8 Chapter 10H, Hawaii Revised Statutes, and declare themselves to
9 be members of the Hawaiian nation or "Hawaiian nationals"; and

10
11 WHEREAS, discrimination is carried out against many other
12 people who, although they are not Native Hawaiian, reside in
13 Hawaii and share the legal, historical, and philosophical
14 foundation as Native Hawaiians, and who declare themselves to be
15 members of the Hawaiian nation or "Hawaiian nationals"; and

16
17 WHEREAS, an individual's declaration of the individual's
18 own nationality stems from one's sense of loyalty or allegiance,
19 which comes from the soul and may be a consequence of one's
20 education, sense of familiarity, attachment to principles, sense
21 of honor and integrity, genealogy and history, acculturation to
22 a place, sense of belonging to a community or society, and
23 understanding of applicable laws of the land; and

24
25 WHEREAS, Hawaii's history and its current relationship with
26 the United States of America (U.S.) is a history of U.S.
27 aggression, collusion, regime change, cession, and controversial
28 annexation as a territory before Hawaii became a U.S. state; and



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1 WHEREAS, Hawaiian nationality stems from the Hawaiian
2 nation, which organized itself into a state in international
3 affairs, evolved into a constitutional monarchy form of
4 government, and gained international standing as a nation-state
5 prior to U.S. aggression in 1893; and

6
7 WHEREAS, the Hawaiian nation was an inclusive society
8 welcoming people of all nations, colors, and religions as equal
9 before the law; and

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11 WHEREAS, Hawaiian nationals should not have any barriers to
12 full participation in private and public affairs in Hawaii; and

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14 WHEREAS, participation from Hawaiian nationals should
15 include, to the maximum extent possible, addressing conflicts in
16 the areas of education, employment, housing and public
17 accommodations, lending, law enforcement and police conduct,
18 voting rights, jury service, military service, health care,
19 public safety, and licensing; now, therefore,

20
21 BE IT RESOLVED by the House of Representatives of the
22 Twenty-ninth Legislature of the State of Hawaii, Regular Session
23 of 2018, the Senate concurring, that the Office of Hawaiian
24 Affairs is urged to convene a working group to develop
25 recommendations on approaches to specifically address Hawaiian
26 nationality as a category of prohibited discrimination as a
27 matter of State policy; and

28
29 BE IT FURTHER RESOLVED that areas of discrimination against
30 Hawaiian nationals to be examined should include, without
31 limitations, education, employment, housing and public
32 accommodations, lending, law enforcement and police conduct,
33 voting rights, jury service, military service, health care,
34 public safety, and licensing; and

35
36 BE IT FURTHER RESOLVED that "Hawaiian nationals" should be
37 defined as individuals who declare themselves to be such, and
38 who meet any one or more of the following categories:

- 39
40 (1) All Native Hawaiians as defined by a direct lineal
41 ancestry who resided in the Hawaiian Islands prior to
42 the year 1778;



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- 1 (2) Descendants of subjects or citizens of the Hawaiian
- 2 Kingdom prior to July 4, 1894; or
- 3
- 4 (3) All persons born in Hawaii, and other individuals who
- 5 have been a resident of Hawaii for a continuous period
- 6 of five years immediately prior to declaring oneself a
- 7 Hawaiian national; and
- 8

9 BE IT FURTHER RESOLVED that the working group's membership
 10 consist of twenty-one members, to include:

- 11
- 12 (1) Ten individuals who are familiar with State functions;
- 13
- 14 (2) Ten individuals of declared Hawaiian nationalities;
- 15 and
- 16
- 17 (3) One individual from the Office of Hawaiian Affairs;
- 18 and
- 19

20 BE IT FURTHER RESOLVED the working group is requested to
 21 submit a report of its findings and recommendations, including
 22 any proposed legislation, to the Legislature no later than
 23 twenty days prior to the convening of each regular session
 24 beginning in 2019, for three years thereafter; and

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26 BE IT FURTHER RESOLVED that certified copies of this
 27 Concurrent Resolution be transmitted to the Chairperson of the
 28 Office of Hawaiian Affairs.

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OFFERED BY: 



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