

STAND. COM. REP. NO.

1562

Honolulu, Hawaii

APR 04 2023

RE: S.C.R. No. 104  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committees on Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs, to which was referred S.C.R. No. 104 entitled:

"SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO PASS THE HAWAIIAN HOME LANDS PRESERVATION ACT, H.R. RES. 9614, 117TH CONG. (2ND SESS. 2022), TO LOWER THE REQUIRED MINIMUM BLOOD QUANTUM FOR CERTAIN DEPARTMENT OF HAWAIIAN HOME LANDS SUCCESSOR LESSEE BENEFICIARIES FROM ONE-QUARTER NATIVE HAWAIIAN BLOOD TO ONE THIRTY-SECOND,"

beg leave to report as follows:

The purpose and intent of this measure is to urge the United States Congress to pass the Hawaiian Home Lands Preservation Act to lower the required minimum blood quantum for certain Department of Hawaiian Home Lands successor lessee beneficiaries from one-quarter native Hawaiian blood to one thirty-second.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands, Kauhakō Ohana Association, Waimea Hawaiian Civic Club, and forty-five individuals. Your Committees received testimony in opposition to this measure from two individuals.

Your Committees find that the Hawaiian Homes Commission Act of 1920, as amended, is meant for the rehabilitation of the native Hawaiian people through a government-led homesteading program.



However, in the near future, the minimum blood quantum requirement of one-half native Hawaiian blood will essentially bar all new applicants and thus frustrate the purpose and intent of the Hawaiian Homes Commission Act of 1920, as amended. In realizing the dilutive effect of interracial marriages on the blood quantum, the State reduced the minimum blood quantum requirement of certain lessees successors from one-quarter to one thirty-second by enacting Act 80, Session Laws of Hawaii 2017 (Act 80). Your Committees believe that the passage of the Hawaiian Home Lands Preservation Act will align the federal minimum blood quantum requirement with that established by Act 80 and satisfy the legal requirement that Act 80 receives the consent of the United States Congress to become effective. This measure will help to ensure that future successor lessees can continue to qualify as beneficiaries of the Hawaiian Homes Commission Act of 1920.

Your Committees have amended this measure by:

- (1) Urging Hawaii's congressional delegation to re-introduce and support the passage of the Hawaiian Home Lands Preservation Act instead of urging the United States Congress to pass the Hawaiian Home Lands Preservation Act;
- (2) Amending its title to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety and Intergovernmental and Military Affairs and Hawaiian Affairs that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 104, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 104, S.D. 1.

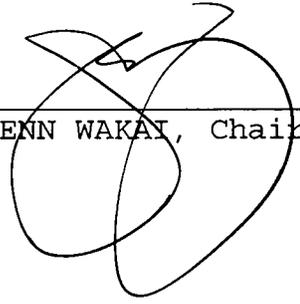


Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety and  
Intergovernmental and Military  
Affairs and Hawaiian Affairs,



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MAILE S.L. SHIMABUKURO, Chair



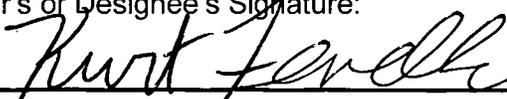
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GLENN WAKAI, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Hawaiian Affairs**  
**HWN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 104	PSM / HWN	March 29, 2023		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	<del>Aye</del>	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	/			
FEVELLA, Kurt (VC)	/			
IHARA, Jr., Les				/
KEOHOKALOPE, Jarrett	/			
RICHARDS, III, Herbert M. "Tim"				/
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes