HOUSE 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.

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

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

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

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

WHEREAS, Hawaii's history and its current relationship with the United States of America (U.S.) is a history of U.S. aggression, collusion, regime change, cession, and controversial annexation as a territory before Hawaii became a U.S. state; and
WHEREAS, Hawaiian nationality stems from the Hawaiian nation, which organized itself into a state in international affairs, evolved into a constitutional monarchy form of government, and gained international standing as a nation-state prior to U.S. aggression in 1893; and

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

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

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

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

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

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

(1) All Native Hawaiians as defined by a direct lineal ancestry who resided in the Hawaiian Islands prior to the year 1778;
(2) Descendants of subjects or citizens of the Hawaiian Kingdom prior to July 4, 1894; or

(3) All persons born in Hawaii, and other individuals who have been a resident of Hawaii for a continuous period of five years immediately prior to declaring oneself a Hawaiian national; and

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

(1) Ten individuals who are familiar with State functions;

(2) Ten individuals of declared Hawaiian nationalities;

and

(3) One individual from the Office of Hawaiian Affairs;

and

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

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

OFFERED BY:

MAR - 9 2018