

MAR 12 2021

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# SENATE RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO CONSENT TO THE  
ENACTMENT OF ACT 80, SESSION LAWS OF HAWAII 2017.

1           WHEREAS, pursuant to section 208 of the Hawaiian Homes  
2 Commission Act, 1920, an original lessee of a tract of Hawaiian  
3 homestead lands shall be a native Hawaiian; and  
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5           WHEREAS, section 201 of the Hawaiian Homes Commission Act,  
6 1920, defines a "native Hawaiian" as "any descendant of not less  
7 than one-half part of the blood of the races inhabiting the  
8 Hawaiian Islands previous to 1778"; and  
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10           WHEREAS, pursuant to the existing provisions of section  
11 209(a) of Hawaiian Homes Commission Act, 1920, upon the death of  
12 a homestead lessee, the lessee's interest may only vest in the  
13 lessee's husband, wife, child, grandchild, brother, or sister if  
14 the potential successor is at least one-quarter Hawaiian; and  
15

16           WHEREAS, a significant number of marriages occur between  
17 people of Hawaiian ancestry and people without Hawaiian  
18 ancestry, directly affecting generations of Hawaiians by  
19 reducing the native Hawaiian blood quantum; and  
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21           WHEREAS, the requirement that certain successors to a lease  
22 must have at least one-quarter blood quantum imposes a  
23 significant hardship on those lessees who are unable to assure  
24 transfer of lessee rights under the Hawaiian Homes Commission  
25 Act, 1920, to a relative of less than one-quarter Hawaiian  
26 blood; and  
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28           WHEREAS, this congressionally established blood quantum  
29 requirement artificially bifurcates the indigenous people of  
30 Hawaii; and  
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32           WHEREAS, a reduction in the required blood quantum for  
33 certain successors under the Hawaiian Homes Commission Act,  
34 1920, is long overdue; and  
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# S.R. NO. 130

1           WHEREAS, the Hawaii State Legislature passed and the  
 2 Governor of Hawaii approved Act 80, Session Laws of Hawaii 2017,  
 3 which attempts to amend the Hawaiian Homes Commission Act, 1920,  
 4 to provide that upon the death of a lessee, the lessee's  
 5 interest may vest in the lessee's spouse, child, grandchild,  
 6 brother, or sister if the potential successor is at least one  
 7 thirty-second Hawaiian; and

8  
 9           WHEREAS, the consent of the United States Congress is  
 10 required for Act 80, Session Laws of Hawaii 2017, to become law;  
 11 now, therefore,

12  
 13           BE IT RESOLVED by the Senate of the Thirty-first  
 14 Legislature of the State of Hawaii, Regular Session of 2021,  
 15 that the United States Congress is requested to consent to the  
 16 enactment of Act 80, Session Laws of Hawaii 2017; and

17  
 18           BE IT FURTHER RESOLVED that certified copies of this  
 19 Resolution be transmitted to the Majority Leader of the United  
 20 States Senate, Speaker of the United States House of  
 21 Representatives, members of Hawaii's congressional delegation,  
 22 Chairperson of the Hawaiian Homes Commission, and Chairperson of  
 23 the Board of Trustees of the Office of Hawaiian Affairs.

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 26

OFFERED BY: 

