

LINDA LINGLE
GOVERNOR
STATE OF HAWAII



MICAH A. KANE
CHAIRMAN
HAWAIIAN HOMES COMMISSION

BEN HENDERSON
DEPUTY TO THE CHAIRMAN

KAULANA H. PARK
EXECUTIVE ASSISTANT

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879

HONOLULU, HAWAII 96805

April 5, 2007

Mr. Kaiini Kimo Kaloi, Director
U. S. Department of the Interior
Office of the Secretary
Office of Hawaiian Relations
1849 C Street, NW
Mail Stop 4426
Washington, D.C. 20240

Dear Mr. Kaloi:

Subject: State Amendments to the Hawaiian Homes Commission Act of 1920, As Amended

In accordance with the procedure established in §204 of the Hawaiian Home Lands Recovery Act (P.L. 104-42), the Chairman of the Hawaiian Homes Commission is to transmit to the Secretary of Interior's designated representative those State of Hawaii laws that amend the Hawaiian Homes Commission Act, 1920, as amended, (HHCA) and that may require the consent of the United States under section 4 of the Hawaii Admission Act.

During your recent visit to Hawaii my staff informed you that a number of amendments have been transmitted to the Secretary's Office in recent years that are still pending action. At your request we are transmitting copies of all amendments to the HHCA enacted by the Hawaii State Legislature between 1995 and 2006. With the exception of *Act 177*, passed in 2006, all of these amendments were previously sent to the Office of the Secretary. We request your assistance in reviewing these documents and pursuing appropriate actions at the federal level to confirm the extent to which approval of specific amendments by the Congress may be required.

As shown in the attached summary, there are a total of sixteen amendments pending review by the federal government. Of these amendments, the State Attorney General has opined that only two of the amendments may require approval by the Congress. These are *Act 107, Session Laws of Hawaii 2000*, relating to the Hawaiian home loan fund, and *Act 302, Session Laws of Hawaii 2001*, relating to the delegation of authorities to democratically-elected Hawaiian homestead community organizations.

Mr. Kaiini Kimo Kaloi
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The binder included with this letter contains a copy of each amendment, an opinion letter from the Hawaii State Attorney General regarding whether Congressional consent is needed, and copies of relevant testimony on each measure. We have also included, for your information, copies of earlier correspondence to the U.S. Department of Interior (USDOJ) relating to these amendments.

Please feel free to contact my Deputy, Ben Henderson, should you have any questions or need further clarification regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Micah Kane", with a stylized flourish at the end.

Micah Kane, Chairman
Hawaiian Homes Commission

Encl.

SUMMARY OF HHCA AMENDMENTS (1995-2006)

<u>Act No./Year</u>	<u>HHCA Section</u>	<u>AG Opinion</u>	<u>AG Review Date</u>
Act 014/1995	Adds §213.6	No Consent	AG (10/10/99)
Act 232/1996	Amends §214	No Consent	AG (11/21/96)
Act 196/1997	Amends §207	No Consent	AG (5/13/98)
Act 197/1997	Amends §204.5/213.5	No Consent	AG (5/13/98)
Act 027/1998	Amends §213	No Consent	AG (5/13/98)
Act 017/1999	Amends §209	No Consent	AG (10/10/99)
Act 107/2000	Amends §215	Consent Req'd	AG (10/17/00)
Act 119/2000	Amends §215	No Consent	AG (10/17/00)
Act 110/2001	Amends §222	No Consent	AG (8/8/01)
Act 122/2001	Amends §209	No Consent	AG (8/8/01)
Act 302/2001	Adds §201.6	Consent Req'd	AG (8/8/01)
Act 12/2002	Amends §208	No Consent	AG (7/17/02)
Act 117/2002	Amends §213(i)	No Consent	AG (7/17/02)
Act 16/2005	Amends §209	No Consent	Ag (7/21/05)
Act 53/2005	Amends §208	No Consent	Ag (7/21/05)
Act 177/2006	Amends §213	No Consent	Ag (10/31/06)

Hawaii State Legislature

Record of Votes of a Conference Committee

Bill/Concurrent Resolution No.: **HB 624 SD** Date/Time: **4/24/01 3:30 PM**

The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure.

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
Chun, Sen. Jonathan	/			*	Hamakawa Rep. Eric	/			*
Kanno, Sen. Brian	/			*	Oshiro, Rep. Blake	/			
Hammings, Sen. Fred	/				Aiwaie, Rep. Emily	/			
TOTAL					TOTAL				

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


Distribution: Original - Lead Chair of Originating House Blue - Drafting Agency
 Pink - Senate Clerk's Office Yellow - House Clerk's Office

*All Chairs must be present to constitute a quorum.