



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
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URGENT-TIME SENSITIVE

TO: House Members
FROM: OHA Lobbying Team *A. DeSoto*
RE: C.D. 1 (proposed) of H.B. 2207
DATE: 4/23/97

The most current House proposal, H.B. 2207 C.D. 1, which is attached, is an extremely regressive proposal that will negatively impact our community for decades to come. Our strenuous objections include:

- It will take away benefits from hundreds of thousands of Hawaiians. Changes in the definitions mean the revenue will drop from over \$15 million to less than \$3 million a year, after the interim revenue expires in 1999.
- The House proposal violates the Constitution by seeking to change laws retroactively. Changing the rules of the game retroactively will certainly lead to immediate and extensive litigation, and continued uncertainty on the state's budgetary and fiscal status for years to come.
- The bill purports to be in response to the Heely decision, when it actually seeks to eliminate revenue sources that were not part of the lawsuit, and furthermore, which the State had previously agreed to pay, and that have already been paid to OHA for native Hawaiians.
- The House uses the Inspector General's draft opinion on landing fees as an excuse to try to invalidate past agreements, instead of insisting that the Attorney General vigorously fight the draft opinion and uphold the State's sovereignty.

IF THESE PROVISIONS ARE NOT ELIMINATED IN THE FINAL DRAFT OF H.B. 2207, THIS BILL MUST NOT BE ALLOWED TO PASS.

Statewide polls show that the general public supports our position. Voters, by more than a two-to-one margin, back current or increased funding for OHA, and believe that the State should stand behind the agreements it has made with Hawaiians.