STAND. COM. REP. NO. 1748

Honolulu, Hawaii APR D2 , 2025

RE: S.B. No. 109 S.D. 2 H.D. 1

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 109, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE,"

begs leave to report as follows:

The purpose of this measure is to require that the Hawaiian version of a law be held binding if the law in question was either:

- Originally drafted in Hawaiian and then translated into English and the law has not been later amended, codified, recodified, or reenacted in English; or
- (2) Originally drafted in English and subsequently amended, codified, recodified, or reenacted in Hawaiian.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and three individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Judiciary; Department of the Attorney General; and two individuals.

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Your Committee finds that in 2007, the United Nations adopted the United Nations Declaration on the Rights of Indigenous Peoples and this measure would contribute to the growing international movement for the protection of the rights of the world's indigenous peoples.

Your Committee has amended this measure by:

- Reverting to the S.D. 1 version of this measure, which required that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and meets certain criteria;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 109, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 109, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives The Thirty-third Legislature

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Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB109 SD2 Committee Referral: Jha, FARM DT Date: 311 25				
 The committee is reconsidering its previous decision on the measure. 				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
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JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
2. POEPOE, Mahina (VC)				
3. BELATTI, Della Au				
4. COCHRAN, Elle				\checkmark
5. HASHEM, Mark J.				
5. HADILLI, HAIR J.				
6. KAHALOA, Kirstin				
7. PERRUSO, Amy A.				
8. TAKAYAMA, Gregg				
9. TODD, Chris	\mathbf{V}			
10. GARCIA, Diamond				
11. SHIMIZU, Garner M.				
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TOTAL (11)	ID	D	D	1
The recommendation is: Adopted D Not Adopted did not support recommendation.				
Committee acronym(s) Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				