

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 856

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Technology and the Arts, to which was referred S.B. No. 856 entitled:

"A BILL FOR AN ACT RELATING TO HOLIDAYS,"

begs leave to report as follows:

The purpose and intent of this measure is to recognize Fred Korematsu and his commitment to preserving civil liberties by establishing January 30 of each year as "Fred Korematsu Day".

Your Committee received testimony in support of this measure from the American Civil Liberties Union, Hawaii Civil Rights Commission, Japanese American Citizens League, and numerous individuals.

Your Committee finds that Fred Korematsu is an American civil rights hero who refused to comply with Executive Order 9066 that mandated the incarceration of one hundred twenty thousand people of Japanese ancestry in 1942. After he was arrested and convicted for defying the executive order, Mr. Korematsu appealed his case to the United States Supreme Court. The Supreme Court ruled against him and held that the internment of Japanese-Americans was a military necessity.

In 1983, Mr. Korematsu reopened his case, and his conviction was overturned in federal court based on subsequently discovered evidence that the government hid evidence from the Supreme Court which showed that Japanese-Americans did not commit any acts of treason to justify mass evacuation, incarceration, and exclusion.

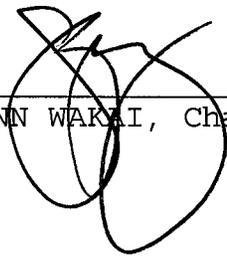


In 1998, Mr. Korematsu was awarded the Presidential Medal of Freedom, the nation's highest civilian honor.

In 2010, California established January 30 of every year as "Fred Korematsu Day of Civil Liberties and the Constitution", making it the first permanent day named after an Asian American in United States history. Similarly, this measure establishes January 30 of every year as "Fred Korematsu Day" to celebrate, honor, and encourage public education and awareness of Fred Korematsu and his commitment to preserving civil liberties.

As affirmed by the record of votes of the members of your Committee on Technology and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 856 and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Technology and the
Arts,



GLENN WAKAI, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Technology and the Arts
TEC

Bill / Resolution No.:* <i>SB 856</i>	Committee Referral: <i>JDL, TEC</i>	Date: <i>2/21/13</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	/			
NISHIHARA, Clarence K. (VC)	/			
GABBARD, Mike				/
TOKUDA, Jill N.				/
SLOM, Sam	/			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Clarence K Nishihara</i></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes