STAND. COM. REP. NO. 22

Honolulu, Hawaii

### FEB 1 9 2015

RE: S.B. No. 992 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Madam:

Your Committees on Hawaiian Affairs and Human Services and Housing, to which was referred S.B. No. 992 entitled:

"A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN CHILDREN,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- Create the Native Hawaiian Welfare Act, which establishes the Na Kupuna Tribunal;
- (2) Create a pilot program for the Native Hawaiian Welfare Act; and
- (3) Create a working group to oversee the Na Kupuna Tribunal.

Your Committees received testimony in support of this measure from the Na Kupuna Tribunal, Na Kupuna O Keokaha, Na Kupuna O Waianae, Legacy Coalition, and four individuals. Your Committees received testimony in opposition to this measure from Hookipa Network Kauai, American Academy of Adoption Attorneys, Center for Hawaiian Sovereignty Studies, and three individuals. Your Committees received comments on this measure from the Office of Information Practices.

Your Committees find that there is a need for services regarding the placement of Hawaiian children who have been displaced by their families. In the past, the Na Kupuna Tribunal



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has been successful in placing Hawaiian children with families by using the hanai and lawe hanai systems. While the Na Kupuna Tribunal had worked together with the courts and Child Protective Services in the past, the relationship deteriorated over the years. Nevertheless, your Committees believe that the Na Kupuna Tribunal can serve as an invaluable tool for the courts, Child Protective Services, and native Hawaiian children. As such, your Committees find that it is worthwhile for a working group to be formed by the Department of Human Services to determine how the Na Kupuna Tribunal can best assist in child custody matters involving Hawaiian children.

Your Committees have amended this measure by:

- (1) Deleting parts I, II, and III;
- (2) Amending part IV by adding parties to be included in the working group and amending the objectives of the working group; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Human Services and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 992, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 992, S.D. 1, and be referred to the Committees on Judiciary and Labor and Ways and Means.

> Respectfully submitted on behalf of the members of the Committees on Hawaiian Affairs and Human Services and Housing,

Strann Ohun Capland

SUZANNE CHUN OAKLAND, Chair

MAILE S.L. SHIMABUKURO, Chair



#### The Senate Twenty-Eighth Legislature State of Hawaiʻi

# Record of Votes Committee on Hawaiian Affairs HWN

Bill / Resolution No.:*		Committee Referral: Date:						
SB992	HWNH	HWN HSH, JDL WAM 02/11/2015						
The Committee is reconsidering its previous decision on this measure.								
If so, then the previous decision was to:								
The Recommendation is:								
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313								
Members		Aye	Aye (WR)	Nay	Excused			
SHIMABUKURO, Maile S.L. (C)		$\checkmark$						
GALUTERIA, Brickwood (VC)								
INOUYE, Lorraine R.		V						
KAHELE, Gilbert								
SLOM, Sam								
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Recommendation:								
Chair's or Designee's Signature:								
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\*Only one measure per Record of Votes

#### The Senate Twenty-Eighth Legislature State of Hawaiʻi

# Record of Votes Committee on Human Services and Housing HSH

Bill / Resolution No.:*Committee Referral:Date:SB992HWN/HSH, JDL/WAMZ/11/15									
The Committee is reconsidering its previous decision on this measure.									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (WR)	Nay	Excused				
CHUN OAKLAND, Suzanne (C)		X							
GREEN, Josh (VC)					X				
HARIMOTO, Breene		X							
RIVIERE, Gil		×			•				
SLOM, Sam					$\lambda$				
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TOTAL		3		<u></u>	7				
Recommendation:	<u> </u>			· · · · · · · · · · · · · · · · · · ·					
Adopted Not Adopted									
Chair's or Designee's Signature:									
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