

Honolulu, Hawaii

FEB 19 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:

- (1) 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



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,



SUZANNE CHUN OAKLAND, Chair



MAILE S.L. SHIMABUKURO, Chair



Record of Votes
Committee on Hawaiian Affairs
HWN

*Only one measure per Record of Votes

Record of Votes
Committee on Human Services and Housing
HSH

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