

STAND. COM. REP. NO.

3292

Honolulu, Hawaii

MAR 28 2018

RE: S.R. No. 77
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Judiciary, to which was referred S.R. No. 77 entitled:

"SENATE RESOLUTION URGING THE UNITED STATES CONGRESS TO REFORM AND AMEND THE IMMIGRATION AND NATIONALITY ACT OF 1965 AND OTHER RELEVANT FEDERAL IMMIGRATION LAWS TO CLASSIFY CLIMATE-RELATED MIGRANTS AS REFUGEES IN ORDER TO RECEIVE GREATER LEGAL STATUS AND PROTECTION,"

beg leave to report as follows:

The purpose and intent of this measure is to urge the United States Congress to reform and amend the Immigration and Nationality Act of 1965 and other relevant federal immigration laws to classify climate-related migrants as refugees in order to receive greater legal status and protection.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that the challenges facing small island nations in the Pacific, such as sea-level rise, deterioration of precious watersheds, and protection of native flora and fauna, have led to increasing numbers of migrants from the region. Your Committees further find that all individuals fleeing from climate-related impacts who cross or seek to cross international borders are entitled to due process in the assessment of their legal



status based on human rights principles, such as protection from persecution, equity, and freedom from discrimination. Your Committees acknowledge that climate-related migrants come from a variety of locations across the globe; however, your Committees believe that at this time it is crucial that the United States Congress focus on those individuals fleeing the negative impacts of climate change in the Pacific region.

Your Committees have amended this measure by:

- (1) Clarifying that the United States Department of Justice is urged to recognize the specific needs and special circumstances of applicants from developing nations, especially those from island nations in the Pacific that are vulnerable to climate change, when determining whether a migration may constitute a special humanitarian concern; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.R. No. 77, as amended herein, and recommend that it be referred to your Committee on Ways and Means, in the form attached hereto as S.R. No. 77, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Judiciary,


BRIAN T. TANIGUCHI, Chair


CLARENCE K. NISHIHARA, Chair



Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

*Only one measure per Record of Votes

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SR 77</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">PSM/JDC, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/22/18</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	5	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 50px;">Karl Rhoads</div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes