

STAND. COM. REP. NO. 207

Honolulu, Hawaii

FEB 11 2025

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

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

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

begs leave to report as follows:

The purpose and intent of this measure is to require that the
Hawaiian version of a law be held binding if the law in question
was originally drafted in Hawaiian and then translated into
English.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources, Judiciary, and
seven individuals.

Your Committee received testimony in opposition to this
measure from two individuals.

Your Committee received comments on this measure from the
Department of the Attorney General.

Your Committee finds that currently, the English version of a
law is binding whenever there are any irreconcilable differences
between the English and Hawaiian version of any laws of the State.
By recognizing the primacy of Hawaiian in laws originally written
in the language, this measure honors the cultural and historical
significance of 'ōlelo Hawai'i and preserves the intent of those



who drafted such laws during the Kingdom of Hawaii, the territorial era, and beyond.

Your Committee notes that the Department of the Attorney General provided testimony regarding its concerns that the measure may lead to ambiguities in the application and interpretation of laws. Therefore, your Committee finds that it is proper to incorporate the specific amendments recommended by the Department of the Attorney General into the measure.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that if a law was originally drafted in Hawaiian and was translated into English based on the Hawaiian version, the Hawaiian version shall be held binding if the law has not been later amended, codified, recodified, or reenacted in English; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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

Respectfully submitted on
behalf of the members of the
Committee on Hawaiian Affairs,


HERBERT RICHARDS, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 109	HWN, JDC	1/28/25		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RICHARDS, III, Herbert M. "Tim" (C)	/			
SAN BUENAVENTURA, Joy A. (VC)	/			
IHARA, Jr., Les				/
KEOHOKALOPE, Jarrett	/			
DECORTE, Samantha	/			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-size: 2em; font-family: cursive;">  </div>				
Distribution: <div style="display: flex; justify-content: space-around; font-size: 0.8em;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes