

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 16

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 16 entitled:

"A BILL FOR AN ACT RELATING TO HAWAIIAN AS AN OFFICIAL LANGUAGE OF THE STATE OF HAWAII,"

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, Office of Hawaiian Affairs, and two 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 language is the carrier of culture. When cultures are vastly different, incongruence is often prevalent in the interpretation of one language by the other. 'Ōlelo Hawai'i, the Hawaiian language, is an enigmatically poetic language that invokes metaphor and kaona, hidden meaning, which pose a formidable challenge to interpret without a deep understanding of Native Hawaiian culture. Current law provides that the English version of a law is binding whenever there is any radical and irreconcilable difference between the English and



Hawaiian version of any laws of the State. This measure brings further parity to both languages by recognizing 'Ōlelo Hawai'i as the original language of the land while also ensuring the continuity of the State's legal tradition and history.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 16 and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 16	Committee Referral: HWN, JDC	Date: 2/23/23
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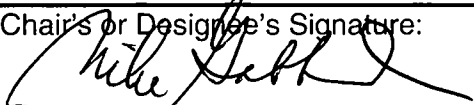
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**