

STAND. COM. REP. NO.

2354

Honolulu, Hawaii

**FEB 15 2018**

RE: S.B. No. 2134  
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 Hawaiian Affairs, Labor, and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 2134 entitled:

"A BILL FOR AN ACT RELATING TO TRAINING,"

beg leave to report as follows:

The purpose and intent of this measure is to require additional government officials at the state and county levels to complete the Office of Hawaiian Affairs' training course on native Hawaiian and Hawaiian rights initially required by Act 169, Session Laws of Hawaii 2015.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Native Hawaiian Education Council, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, Oahu County Committee on Legislative Priorities, and twenty individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Maui County Planning Department and one individual.

Your Committees find that a training course in native Hawaiian and public trust law is pertinent to those who, with the decisions they make, impact the lives of native Hawaiians on a daily basis. By having a better understanding of the State's legal responsibilities toward native Hawaiians and the public



trust, government officials can better protect the rights of native Hawaiians. While government officials have a unique set of expertise and skills that are beneficial to the native Hawaiian community, they may not have the knowledge necessary to make fully informed decisions that affect native Hawaiians. Therefore, expanding the requirement of the government officials who must complete the course is important to creating a better environment for native Hawaiians.

Your Committees have amended this measure by:

- (1) Adding the First Deputy and Deputy for Water of the Department of Land and Natural Resources as additional government officials who are required to complete the course; and
- (2) Requiring the Office of Hawaiian Affairs to notify the Governor and county Mayors of the availability of the training classes when scheduled, who shall then notify other administrative heads, their deputies, and other officials who are not statutorily mandated to complete the course of the availability of the course and encourage those officials to complete the course.

Your Committees further find that requiring the course for certain government officials who have an impact on native Hawaiians has been a huge success with the students and the effects it had on their decision making. Your Committees believe that the training course requirement should be expanded to include special courses that are focused toward judges in Hawai'i, as the interpreters of all laws. Your Committees request that the Office of Hawaiian Affairs look into the possibility of creating a training course specifically for judges to provide a better understanding of native Hawaiians and Hawaiian rights and to ensure fair treatment of native Hawaiians in the courts.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs, Labor, and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2134, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2134, S.D. 1, and be referred to your Committee on Ways and Means.



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



---

JILL N. TOKUDA, Chair



---

MAILE S.L. SHIMABUKURO, Chair



---


CLARENCE K. NISHIHARA, Chair





The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Labor**  
**LBR**

Bill / Resolution No.:* <b>SB2134</b>	Committee Referral: <b>HWN/LBR/PSM, WAM</b>	Date: <b>02/01/18</b>		
<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
TOKUDA, Jill N. (C)	✓			
ENGLISH, J. Kalani (VC)				✓
CHANG, Stanley	✓			
IHARA, Jr., Les				✓
TANIGUCHI, Brian T.	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

