

JAN 25 2006

S.B. NO. 3160

A BILL FOR AN ACT

RELATING TO HAWAIIAN LANGUAGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Constitution of
2 the State of Hawai'i provides for the preservation and promotion
3 of native Hawaiian culture, history, and language. For example,
4 article X, section 4, provides that, "The State shall promote
5 the study of Hawaiian culture, history and language." Article
6 XIII, section 7, Constitution of the State of Hawai'i, provides,
7 "The State reaffirms and shall protect all rights, customarily
8 and traditionally exercised for subsistence, cultural and
9 religious purposes" of native Hawaiians. Because maintaining a
10 living language is an integral component of preserving a
11 culture, it is also important to note that article XV, section
12 4, of the Constitution of the State of Hawai'i, reestablishes
13 that "English and Hawaiian shall be the official languages of
14 Hawaii."

15 Since 1978, when the State reaffirmed Hawaiian as one of
16 its official languages, the legislature has backed efforts to
17 incorporate the language into official state writings, emblems,
18 and signs. Ensuring that these public inscriptions are



1 mandatory, accurate, spelled correctly, and use the proper
2 Hawaiian macrons and glottal stops not only shows the deserved
3 respect for the native language of these islands, but also fully
4 comports with the intent and words of the state constitution.

5 The purpose of this Act is to ensure the constitutionally
6 and ethically mandated preservation of the native Hawaiian
7 language and culture by requiring that all state and county
8 documents and letterheads, when newly created or reprinted,
9 contain the accurate, appropriate, and authentic Hawaiian names
10 and language printed above the English translations.

11 SECTION 2. Section 1-13.5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "~~[+]§1-13.5[+]~~ **Hawaiian language; spelling.** [~~Macrons and~~
14 ~~glottal stops may be used in the spelling of words or terms in~~
15 ~~the Hawaiian language in]~~ Effective January 1, 2007, all
16 documents prepared by or for state or county agencies or
17 officials[~~-~~] shall include the accurate, appropriate, and
18 authentic Hawaiian names and language, including proper Hawaiian
19 punctuation, spelling, macrons, and glottal stops, printed above
20 the English translation; provided that this requirement shall
21 not apply to a document or letterhead existing on the effective
22 date of this Act until a replacement for the document or



1 letterhead is required. Any rule, order, policy, or other act,
2 official or otherwise, that prohibits or discourages the use of
3 these symbols shall be void."

4 SECTION 3. Section 5-6.5, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[+]§5-6.5[+] **State language.** The Hawaiian language is
7 the native language of [~~Hawaii~~] Hawai`i and [~~may~~], effective
8 January 1, 2007, shall be used on all emblems and symbols
9 representative of the State, its departments, agencies and
10 political subdivisions[-]; provided that this requirement shall
11 not apply to a document or letterhead existing on the effective
12 date of this Act until a replacement for the document or
13 letterhead is required."

14 SECTION 4. Hawaiian language interim task force. (a)
15 There is established the Hawaiian language interim task force,
16 to be administratively attached to the Bernice Pauahi Bishop
17 Museum as the State of Hawai`i Museum of Natural and Cultural
18 History, for the purposes of developing an implementation plan
19 to achieve the purposes of this Act. The task force shall be
20 composed of nine members to be appointed as follows: one
21 representative from the University of Hawai`i at Mānoa Hawaiian
22 language department; one representative from the University of



1 Hawai'i at Hilo college of Hawaiian language; one representative
2 from Hale Kuamo'o; one representative from 'Aha Hui 'Ōlelo
3 Hawai'i; one representative from the department of accounting
4 and general services; one representative from the Hawai'i state
5 association of counties; one representative from the Bishop
6 Museum; and two manaleo, native Hawaiian language speakers, who
7 shall be chosen by the representative from the Bishop Museum.
8 The representative from the Bishop Museum shall serve as chair
9 of the task force and shall make appointments to the task force
10 from lists provided by the organizations identified in this
11 subsection; provided that, to the extent practicable, the
12 members shall represent the diversity of Hawaiian language as it
13 is spoken throughout the State.

14 (b) The appointments shall be made and the task force
15 shall be convened no later than July 1, 2006. The task force
16 shall develop an implementation plan and identify an official
17 Hawaiian language authority that shall be considered the
18 official reference to be used by state and county agencies in
19 the implementation of this Act. In selecting an official
20 reference, the task force shall consider the "Hawaiian
21 Dictionary: Hawaiian-English, English-Hawaiian," by Mary Kawena
22 Pukui and Samuel H. Elbert, copyright 1986, University of



1 Hawai'i Press and "Māmaka Kaiāo" developed by Komike Hua'ōlelo,
2 the Hawaiian Lexicon Committee.

3 (c) The task force shall submit to the legislature, the
4 governor, and the mayors of the respective counties a report,
5 including the implementation plan adopted pursuant to this Act,
6 no later than twenty days prior to the convening of the 2007
7 regular legislative session. The report shall include the
8 identification of resources necessary for the implementation of
9 this Act, including information technology software and the
10 costs of the software.

11 SECTION 5. There is appropriated out of the general
12 revenues of the State of Hawai'i the sum of \$200,000, or so much
13 thereof as may be necessary for fiscal year 2006-2007, for the
14 establishment of the Hawaiian language interim task force.

15 SECTION 6. The sum appropriated shall be expended by the
16 Bernice Pauahi Bishop Museum, State of Hawai'i Museum of Natural
17 and Cultural History, for the purposes of this Act.

18 SECTION 7. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 8. This Act shall take effect upon its approval.

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SB LRB 06-1044-1.doc *Annex A* *Donna Kanno*
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Report Title:

Hawaiian Language; Public Documents

Description:

Requires that all new and replaced letterheads and documents of the State include both state languages, with the Hawaiian language placed above English translation. Establishes a Hawaiian language interim task force. Appropriates funds.

