



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SIXTH LEGISLATURE, 2011**

ON THE FOLLOWING MEASURE:

S.B. NO. 1130, S.D. 1, RELATING TO THE HAWAIIAN LANGUAGE.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Tuesday, March 22, 2011 TIME: 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
Charleen M. Aina, Deputy Attorney General

Chair Keith-Agaran and Members of the Committee:

The Attorney General opposes enactment of this measure.

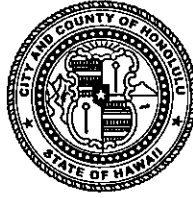
The Attorney General agrees that irrespective of the language in which a government document is written, the words used in the document should be accurate, appropriate, and spelled correctly with proper diacritical marks. The Attorney General also agrees that to ensure Hawaiian words are correctly spelled and diacritically marked, the law should establish the standard or reference by which spelling, including diacritical marks, is to be judged for correctness.

However, it is likely that on occasion, despite careful proofreading and close scrutiny, English or Hawaiian words used in documents prepared by state agencies could be misspelled. For this reason, the bill's provisions should be aspirational only and not mandatory. Otherwise, many government documents could be invalidated because of a "typo." Contracts, permits, indictments, convictions, judgments, or affidavits, among other things, could be voided or reversed as a consequence.

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PETER B. CARLISLE
MAYOR



March 22, 2011

The Honorable Gil S.C. Keith-Agaran, Chair
House Judiciary Committee
Twenty-Sixth Legislature
Regular Session of 2011
State of Hawaii

RE: Testimony of Mayor Peter Carlisle on S.B. 1130, S.D. 1, Relating to the Hawaiian Language

Chair Keith-Agaran and members of the House Judiciary Committee, Mayor Peter Carlisle submits the following comments on S.B. 1130, S.D. 1.

The purpose of this bill is to mandate that as of January 1, 2013, all documents and letterhead prepared by or for state or county agencies or officials include accurate, appropriate, and authentic Hawaiian names and words with proper spelling and punctuation; however the revisions to conform documents or letterheads existing before January 1, 2013 could be delayed until the document or letterhead requires replacement, reprinting or revision. In addition, the bill provides that effective January 1, 2013, Hawaiian shall be used on all emblems and symbols representative of the State, its departments, agencies and political subdivisions; however for all emblems and symbols existing on January 1, 2013, conformance with the amendment may be delayed until a replacement for the emblem or symbol is required.

Although I fully support the preservation and promotion of the native Hawaiian culture and language, I have concerns about the costs and implementation issues of this proposal. I am concerned about the requirement that all documents prepared by or for state or county agencies have the correct spelling and punctuation printed above Hawaiian words and place names. The City and County produces numerous documents for a wide array of needs. Under this bill, it appears police reports and traffic citations issued by the police, driver's licenses issued by DMV and building plans submitted to the county would have to have the correct spelling and punctuation of Hawaiian words and place names.

Second, I am concerned about the provisions of Section 3 of the bill which requires that Hawaiian be used on all emblems and symbols representative of the State and its political subdivisions effective January 1, 2013. We are unsure whether this provision was meant to require that only Hawaiian words may be used on the county seal or whether this requires the correct spelling and punctuation of the Hawaiian words on the county seal. In either case, the

county seal would have to be changed. This poses a major issue for the City and County given that numerous items that carry the county seal. Uniform patches and badges for the police, fire and EMS would have to be replaced and all the vehicles and equipment marked with the county seal would have to be redone.

In closing, I would note that the two large state seals which hang outside the State Capitol would have to be removed or replaced if this bill were to pass, since it appears the Hawaiian words on the seal are not properly punctuated.

Thank you for this opportunity to testify.

ASSOCIATION OF HAWAIIAN CIVIC CLUBS
Testimony of President Soulee Stroud

**SENATE BILL 1130, SD1
RELATING TO THE HAWAIIAN LANGUAGE**

BEFORE THE
COMMITTEE ON JUDICIARY

Tuesday; March 22, 2011; 2:00 p.m.; Rm. 325

Aloha Chairman Keith Agaran and vice chair Rhoads and members of the House Committee on Judiciary. I am Soulee Stroud, president of the Association of Hawaiian Civic clubs here to support this bill.

There are several civic clubs among the sixty component members of the Association that hold the Hawaiian language central to their existence, and have tried to assist those of us non-speakers to bridge the gap that prevents us from speaking our mother tongue.

We all share memories of kupuna who were punished for speaking their language, then told us to go forth and learn to use the English language well. And now, two or three generations later, it is our children and grandchildren who invite us to join them in learning to speak the Hawaiian language. It's an anomaly that makes us proud, and this measure – SB 1130, SD1 – takes it a step further by assisting all citizens of this State to pronounce the indigenous language correctly.

We support this measure, and note that it is practical, as it doesn't require that signs, documents and emblems be discarded and rewritten, but allows for replacement as needed. Thank you for the opportunity to testify. We urge passage of this bill.

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