

SB 1130



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

February 7, 2011

The Honorable Brickwood Galuteria, Chair
and Committee Members
Committee on Hawaiian Affairs
Hawaii State Capitol, Room 221
Honolulu, Hawaii 96813

Dear Chair Galuteria and Committee Members:

Subject: Testimony in support of S.B. 1130, Relating to the Hawaiian Language

The attached is the Hawaiian version of S.B. 1130. I would like to thank Kamoā'e and Ka'ano'i Walk, Elwen Freitas and UH Richardson School of Law Professor Melody Mackenzie for their assistance in translating this measure into Hawaiian.

I tried earlier to submit this Hawaiian version during the introduction of this bill however, our current computer systems do not have the software to include Kahako's that are of course essential in the Hawaiian Language.

Ten years ago, the federal government enacted the Hawaiian National Park Language Correction Act of 2000. This Act changed the names of several Hawai'i national parks to observe the correct Hawaiian spelling. For example, "Haleakala National Park" is now spelled with the kahako above the last letter "a."

Before the banning of the Hawaiian language from schools and government in 1898, it was common to see documents written in Hawaiian. Today, Hawaiian and English are the official languages of the State of Hawai'i and it is only fitting to allow the inclusion of the Hawaiian Language in all official Documents.

Sincerely,

J. Kalani English
Senator, 6th District
Hana, East, and Upcountry Maui
Moloka'i, Lana'i, and Kaho'olawe

HE PILA KĀNĀWAI

NO KA 'ŌLELO HAWAI'I.

**E HO'OHOLO 'IA E KA 'AHA'ŌLELO KAU KĀNĀWAI O KA MOKU 'ĀINA O
HAWAI'I:**

PAUKŪ 1. Ke hō'ōia nei ka 'aha'ōlelo kau kĀnāwai o ka Moku'āina o Hawai'i nei ua 'ae 'ia ma ke Kumukānāwai o ka Moku'āina o Hawai'i ka mālama 'ana mai a me ka paipai 'ana ho'i i ka 'ike a me ka nohona Kanaka, ka mo'olelo, a me ka 'ōlelo 'ōiwi o ua po'e lā. Ma loko o ka ha'awina X, paukū 4, 'ōlelo 'ia penei, "e paipai ka Moku'āina i ke a'o 'ana i ka 'ike a me ka nohona Kanaka, ka mo'olelo a me ka 'ōlelo 'ōiwi o ua po'e lā." A ma loko o ka ha'awina XII, paukū 7, 'ōlelo 'ia penei, "ke hō'ōia hou nei ka Moku'āina e mālama a ho'omalu 'ia nā kuleana a me nā pono a pau, i hana kuluma 'ia no ke ola pono o ka noho 'ana, nā 'ano o ka nohona a me ka ho'omana i pa'a mau i nā Kanaka ke ahupua'a, 'o lākou he mamo na nā Kanaka maoli i noho ma ka pae 'āina o Hawai'i nei ma mua o ka makahiki 1778, a koe kekahi kuleana o ka Moku'āina e ho'oponopono i ia mau kuleana a me nā pono." 'Oiai ua 'ike 'ia he pili pono ka 'ōlelo e ola ana i ka ho'omau 'ia ana o ke 'ano o ka nohona o ka po'e kĀnaka, ma ka ha'awina XV, paukū 4 ke ho'āmana 'ia nei 'elua mau 'ōlelo kūhelu o ka moku'āina o Hawai'i, 'oia ho'i ka 'ōlelo Hawai'i a me ka 'ōlelo Pelekania.

Ma hope mai o ka makahiki 1978, ua hō'ōia hou 'ia e ka Moku'āina 'o ka 'ōlelo Hawai'i kekahi o nā 'ōlelo kūhelu, a ua kāko'o ka 'aha'ōlelo i nā hana e ho'okomo i ka 'ōlelo Hawai'i ma nā palapala 'oihana o ka moku'āina, nā kuni, a me nā hō'ailona. Ua mālama ka Moku'āina i ke koi 'ia a me ka pela pololei 'ia i ia mau kākau 'ana no ka lehulehu. I kēia mau lā 'o ka ho'ohana pono 'ana i ke kahakō a me ka 'okina he mea ia e hō'ike i ka mālama maika'i 'ia o ka 'ōlelo

‘ōiwi o kēia mau mokupuni, a he mea nō ho‘i ia e ho‘okō pono ai i ka mana‘o a me ke kumu o ke kumukānāwai o ka moku‘āina.

‘O ke kumu o kēia Kānāwai ‘oia ho‘i ka mālama ‘ana ma lalo o ka mana o ke kumukānāwai ka ‘ōlelo Hawai‘i, a me ka ‘ike a me ka nohona Kanaka ma o ke koi ‘ana e ho‘ohana ‘ia nā inoa Hawai‘i a me ka ‘ōlelo Hawai‘i ‘ano pololei loa a kūpono ma nā palapala, nā po‘oinoaleka, nā hō‘ailona, a me nā kuni, i ka wā e hana mua ‘ia, ka hana hou ‘ia, a i ‘ole ka pa‘i hou ‘ana.

PAUKŪ 2. ‘O ka paukū 1-13.5 o ko Hawai‘i Kānāwai i Ho‘oponopono Hou ‘ia, e ho‘ololi ‘ia a me neia e heluhelu ‘ia ai:

[§1-13.5] Ka ‘ōlelo Hawai‘i; ka pela ‘ana.

(a) Mana kēia kānāwai ma ka lā mua o Ianuali, i ka M.H. 2013, ‘o nā palapala a me nā po‘oinoaleka a pau i ho‘omākaukau ‘ia e, a no nā ‘oihana o ka moku‘āina, a i ‘ole kalana a me nā luna ona, e ho‘okomo ‘ia a ho‘ohana ‘ia nā inoa Hawai‘i a me nā hua‘ōlelo Hawai‘i pololei, kūpono, a ‘oia‘i‘o, a me ka pela pono ‘ana i ka ‘ōlelo Hawai‘i me nā kaha a me nā māka kūpono, ‘oia ho‘i ‘o ke kahakō a me ka ‘okina, eia na‘e ‘a‘ole nō i kaupalena ‘ia ma ia mau mea, i pa‘i ‘ia ma luna o ka unuhina ‘ōlelo Pelekania; ma ke ‘ano he mea ia e kūpono ai nā mea i koi ‘ia ma nā palapala, a me nā po‘oinoaleka i hana ‘ia ma mua o ka lā mua o Ianuali, i ka M.H. 2013, e koi wale ‘ia ma kēia paukū e ho‘okō ‘ia i ka wā i hana hou ‘ia a i ‘ole i pa‘i hou ‘ia. ‘O kekahi lula, kauoha, ‘ōlelo, a i ‘ole kekahi kānāwai kūhelu, a i ‘ole ma kekahi ‘ano ‘ē a‘e, e ho‘okapu loa ‘ana a e paipai ‘ole ana i ka ho‘ohana ‘ana i ka ‘ōlelo Hawai‘i, nā inoa Hawai‘i, a me nā hua‘ōlelo Hawai‘i pololei loa, a kūpono, e like me ia i koi ‘ia ma kēia paukū, e kāpae ‘ia.

(b) E kūlike nā inoa Hawai‘i a me nā hua‘ōlelo Hawai‘i ma ke ‘ano kūpono a pololei loa i ka wā e pa‘i ‘ia me kēia:

(1) “Hawaiian Dictionary: Hawaiian-English, English-Hawaiian”, na Mary Kawena Pukui me Samuel H. Elbert, ka Hale Pa‘i o ke Kulanui o Hawai‘i, kuleana kope 1986; a i ‘ole

(2) “Māmaka Kaiāo: A Modern Hawaiian Vocabulary”, ho‘omōhala ‘ia e ke Kōmike Hua‘ōlelo, ke Kōmike Lekikona Hawai‘i.”

PAUKŪ 3. ‘O ka paukū 5-6.5 o ko Hawai‘i Kānāwai i Ho‘oponopono Hou ‘ia, e ho‘ololi ‘ia a me neia e heluhelu ‘ia ai:

[§5-6.5] ‘Ōlelo kūhelu Moku‘āina.

(a) ‘O ka ‘ōlelo Hawai‘i ka ‘ōlelo ‘ōiwi o Hawai‘i nei a e ho‘omaka ana ma ka lā mua o Ianuali, i ka M.H. 2013, e ho‘ohana ‘ia ma nā palapala, po‘oinoaleka, hō‘ailona, a me nā kuni o ka Moku‘āina, kona mau ke‘ena, ‘oihana, a me nā ‘āpana polikika; eia na‘e ‘o nā hō‘ailona a me nā kuni i hana ‘ia ma mua o ka lā mua o Ianuali, M.H. 2013, he hiki ke ho‘opane‘e ka ho‘okō ‘ana i nā koina o kēia paukū a hiki i ka wā e hana hou ‘ia nā hō‘ailona a me nā kuni i koi ‘ia ka hana hou ‘ia ‘ana.

(b) E kūlike ka ‘ōlelo Hawai‘i e ho‘ohana ‘ia ma nā hō‘ailona a me nā kuni a pau me nā koina o ka paukū 1-13.5(b).

PAUKŪ 4. Ua kahaapo a kahakaha ‘ia ka ‘ōlelo kānāwai e ho‘opau ‘ia. ‘O ka ‘ōlelo kānāwai hou, ua kahalalo ‘ia.

PAUKŪ 5. E lilo kēia i Kānāwai o ka Moku‘āina i ka lā mua o Ianuali, i ka M.H. 2012.

HĀPAI ‘IA E: _____

NEIL ABERCROMBIE
GOVERNOR



BRUCE A. COPPA
Comptroller

RYAN OKAHARA
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES
P.O. BOX 119
HONOLULU, HAWAII 96810-0119

TESTIMONY
OF
RUSS K. SAITO, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
SENATE COMMITTEE
ON
HAWAIIAN AFFAIRS
ON
February 7, 2011

S.B. 1130

RELATING TO THE HAWAIIAN LANGUAGE

Chair Galuteria and members of the Committee, thank you for the opportunity to testify on S.B. 1130.

The Department of Accounting and General Services (DAGS) supports the intent of S.B. 1130 but has concerns. The bill includes the following:

"~~[[§1-13.5]] Hawaiian language; spelling. [Macrons and glottal stops may be used in the spelling of words or terms in the Hawaiian language in]~~ (a) Effective January 1, 2011, all documents and letterhead prepared by or for state or county agencies or officials~~[-]~~ shall include the accurate, appropriate, and authentic Hawaiian names and language, including proper Hawaiian spelling and punctuation, including but not limited to macrons and glottal stops, printed above the English translation;

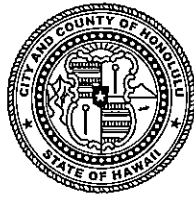
If this passage is interpreted to mean that all correspondence must include both English and a Hawaiian translation, DAGS recommends against this as impractical. However, if this bill applies to Hawaiian names and words, it would be more achievable.

DAGS also notes that if the Standard Hawaiian Dictionary listed is used, a 1986 copyright is not optimum. DAGS suggests the term "latest copyright date" be used instead.

Thank you for the opportunity to testify on this matter.

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

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PETER B. CARLISLE
MAYOR

February 7, 2011

The Honorable Brickwood Galuteria, Chair
Senate Committee on Hawaiian Affairs
Twenty-Sixth Legislature
Regular Session of 2011
State of Hawaii

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

Chair Galuteria and members of the Senate Committee on Hawaiian Affairs, Mayor Peter Carlisle submits the following testimony in opposition S.B. 1130.

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. First, the bill is phrased in a way that could mean either: 1) that Hawaiian names and words are required to be printed above all of the English in a document or letterhead; or 2) that proper Hawaiian spelling and punctuation is required to be printed above the Hawaiian words in a document or letterhead. Providing a complete translation of all documents would not be possible given the tremendous amount of documents generated by the City and County of Honolulu, so if the bill intends this, we would be unable to comply. I am also 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:

For these reasons, I respectfully ask that this bill be held and thank you for this opportunity to testify.

ASSOCIATION OF HAWAIIAN CIVIC CLUBS
Testimony of President Soulee Stroud

**SUPPORTING SENATE BILL 1130
RELATING TO THE HAWAIIAN LANGUAGE**

**Before the Committee on
Hawaiian Affairs
Monday; February 7, 2011; 2:45pm; Room 224**

Aloha Chairman Galuteria and vice chair Ryan. I am Soulee Stroud, President of the Association of Hawaiian Civic Clubs here to testify in support of Senate Bill 1130, Relating to the Hawaiian Language.

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 – 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.

Chair Galuteria and members of the Committee on Hawaiian Affairs,

I am concerned that the current language of SB 1130 is subject to misinterpretation and confusion. I believe that the intent was not to require Hawaiian translations in all documents, emblems, letterhead, signs or symbols. Rather it was to require the proper spelling and punctuation of Hawaiian names and words when such Hawaiian names and words are used and to require that, when documents and letterhead contain both an English version and a Hawaiian version of the same text, that the Hawaiian version be placed ahead of or above the English version in recognition of the Hawaiian language being the native language of Hawai'i. Therefore, I submit the following proposed amendments for your consideration.

Thank you very much,
Carlton Saito

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

(a) Effective January 1, 2013, all state or county agencies and officials shall apply the proper spelling and punctuation, including macrons and glottal stops, when using Hawaiian names and words in all documents and letterhead, provided that, for letterhead existing on or before December 31, 2012, conformance with this section may be delayed until a replacement of the letterhead is otherwise required. Conformance does not need to be retroactive. If a document or letterhead contains an English version and a Hawaiian version of the same text, the Hawaiian version shall be placed ahead or above of the English version.

(b) Hawaiian names and words shall be used in conformance with:
(the two reference sources listed in the bill)

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

(a) The Hawaiian language is the native language of Hawai'i. Therefore, effective January 1, 2013, all state or county agencies and officials shall apply the proper spelling and punctuation, including macrons and glottal stops, when using Hawaiian names and words in all emblems, signs and symbols, provided that, for emblems, signs and symbols existing on or before December 31, 2012, conformance with this section may be delayed until a replacement of the emblem, sign or symbol is otherwise required. Conformance does not need to be retroactive.

(b) The Hawaiian language as used on all emblems, signs and symbols shall be in conformance with the requirements of section 1-13.5(b).

Sections 4 & 5 as in the bill.

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 02, 2011 4:36 PM
To: HWN Testimony
Cc: plaenui@hawaiianperspectives.org
Subject: Testimony for SB1130 on 2/7/2011 2:45:00 PM

Testimony for HWN 2/7/2011 2:45:00 PM SB1130

Conference room: 224
Testifier position: support
Testifier will be present: No
Submitted by: Poka Laenui
Organization: Individual
Address:
Phone: 697-3045
E-mail: plaenui@hawaiianperspectives.org Submitted on: 2/2/2011

Comments:

This bill's passage would place Hawaii squarely in line with the State Constitution as well as the United Nations Declaration of Indigenous Peoples' Rights. It would be a positive reflection on the State's regard for the rights and dignity of her first people and become a positive emblem internationally as an appropriate example for others to follow.

galuteria1 - Ikaika

From: Joel Fischer [jfischer@hawaii.edu]
Sent: Friday, February 04, 2011 3:41 PM
To: HWN Testimony
Subject: SB1130; HWN; Mon., 2/7/11; Rm 224; 2: 45 PM

Importance: High

SB1130, Relating to the Hawaiian Language
HWN; Chair Sen Galuteria

IN STRONG SUPPORT!

It is an absolute disgrace that legislation is needed to require the State to spell correctly one of our official languages! How can we explain this failure? Is it laziness, incompetence, ignorance, racism, all of the above? No matter. the message to the state is: GET IT DONE!! Everyone who lives in and loves Hawai`i nei has to be embarrassed by this failure.

RESOLUTION NEEDED:

I urge committee members to sponsor a reso, perhaps with with Sen Hee, that urges all media in Hawai`i to correctly pronounce and spell our official language. The "Star-Advertiser," in particular, actually has a policy that prohibits the use of special Hawaiian spelling, including a ban on the `okina. Thus, we are treated to seeing, and hearing on television, Hawai`i pronounced and spelled as though it were "Haw-eye," Honolulu pronounced as though it were "Hahnalulu," and so on. Again, what an embarrassment, with causes similar to the ones regarding the state's refusal to spell the Hawaiian language correctly.

This reso may be enough to bring public attention to the problems with the media's inaccurate spelling and pronunciation of the Hawaiian language.

Thank you for considering these ideas.

Aloha, joel

Dr. Joel Fischer, ACSW
Professor (Ret.)
University of Hawai'i, School of Social Work
Henke Hall
Honolulu, HI 96822

"It is reasonable that everyone who asks justice should DO justice."
Thomas Jefferson

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but one must take it because one's conscience tells one that it is right."
Dr. Martin Luther King, Jr.

"Never, never, never quit."
Winston Churchill

Testimony for SB-1130

Hearing: Monday, February 7th 2011, 3:15pm, Conference Room 224.

Testimony from: Dr. Gregory Carter, Ph.D.

E-mail: drgcarter@earthlink.net

1. I oppose the bill. It comes across as an attempt to shove the Hawaiian-spelling agenda of the Punana Leo crowd into everyone's face. Committee member Clayton Hee and his wife Lynne Waters are strong supporters of the Punana Leo program created (mainly) by William Wilson and his wife Kauanoë Kamana. I would not be surprised if all of the committee members have been lobbied by Punana Leo to push this bill. It appears to be designed to please a small but vocal minority of Hawaiian-language extremists, by enacting measures which have little or no real value in terms of preserving or perpetuating the Hawaiian language. The bill has several problems.

2. The bill essentially wants to FORCE the use of Hawaiian language. People should have the freedom to choose to use a particular language, rather than being forced to use Hawaiian whether they like it or not. This bill appears to contradict freedom of speech, and thus to be unconstitutional.

3. The bill disrespects the traditions and customs of native writers of Hawaiian, and disrespects the history of native Hawaiian literature. The bill treats the traditional spellings of native writers of Hawaiian as "wrong", where they are different from the non-traditional, phonemic spellings found in the Hawaiian dictionary by Pukui and Elbert ("HD"). The HD spellings do NOT have a long and well-established history of use among native writers of Hawaiian, compared to the traditional Hawaiian spellings found in the Hawaiian Bible and in decades worth of Hawaiian-language government documents and newspapers.

King Kalakaua never wrote his name as "Kalākaua". Queen Liliuokalani never wrote her name as "Lili'uokalani". Mary Pukui, coauthor of the HD, wanted her surname to be written as "Pukui", and NOT as "Pūku'i". Thus, the bill disrespects the usage and preferences of native Hawaiians.

4. The bill disrespects the traditional and customary practices of the native Hawaiian people of Niihau. Niihauans have writing/spelling practices which are different from those advocated by the okina-and-kahako crowd. Ordinarily, most Niihauans do NOT use macrons nor symbols for glottal stops. In addition, they like to join prepositions with following articles. For example, they often write "ika" rather than "i ka", "meke" rather than "me ke", "oka" rather than "o ka", etc. The bill wrongfully ignores, and in effect insults, the people of Niihau, because it passively categorizes their native usage as being not "accurate, appropriate, and authentic".

5. The bill appears to be ignorant of the nativization of words which are adopted from one language into another, in this case from Hawaiian to English and from English to Hawaiian. The committee members probably lack education on this very relevant topic.

For example, “Oahu” is an “accurate, appropriate, and authentic” English spelling of the English word “Oahu”. It is NOT an incorrect Hawaiian spelling, because it is not a Hawaiian word. Rather, it is an ENGLISH WORD, adopted from Hawaiian, and nativized into English according to the rules of English. English words are subject to the rules of English — NOT the rules of Hawaiian.

Likewise, “Kamuela” is a HAWAIIAN WORD, adopted from English (Samuel), and nativized into Hawaiian according to the rules of Hawaiian. Hawaiian words are subject to the rules of Hawaiian — NOT the rules of English.

If people should be forced to write “O‘ahu” in English, and not “Oahu”, then by the same token, people should be forced to write “Samuel” in Hawaiian, and must not write “Kamuela”.

6. Your lines 7–9 on page 2 of the bill appear to misrepresent the relevant portion of the Constitution of the State of Hawaii.

7. There are some incorrect spellings in the HD, so it is not an entirely reliable authority. The words in Mamaka Kaiāo are not authentic native Hawaiian words, but rather, recent coinages with no longterm history of general use among native writers of Hawaiian.