
A BILL FOR AN ACT

RELATING TO HAWAIIAN LANGUAGE.

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

1 PAUKŪ 1. Ke hō'ōia nei ka 'aha'ōlelo kau kânāwai o ka
2 Moku'āina o Hawai'i nei ua 'ae 'ia ma ke Kumukānāwai o ka Moku'āina
3 o Hawai'i ka mālama 'ana mai a me ka paipai 'ana ho'i i ka 'ike a
4 me ka nohona Kanaka, ka mo'olelo, a me ka 'ōlelo 'ōiwi o Hawai'i.
5 Ma loko o ka ha'awina X, paukū 4, 'ōlelo 'ia penei, "e paipai ka
6 Moku'āina i ke a'o 'ana i ka 'ike a me ka nohona Kanaka, ka
7 mo'olelo a me ka 'ōlelo 'ōiwi o Hawai'i." A ma loko o ka ha'awina
8 XII, paukū 7, 'ōlelo 'ia penei, "ke hō'ōia hou nei ka Moku'āina e
9 mālama a ho'omalua 'ia nā kuleana a me nā pono a pau, i hana
10 kuluma 'ia no ke ola pono o ka noho 'ana, nā 'ano o ka nohona a me
11 ka ho'omana i pa'a mau i nā Kanaka ke ahupua'a, 'o lākou he mamo
12 na nā Kanaka maoli i noho ma ka pae 'āina o Hawai'i nei ma mua o
13 ka makahiki 1778, a koe kekahi kuleana o ka Moku'āina e
14 ho'oponopono i ia mau kuleana a me nā pono." 'Oiai ua 'ike 'ia he
15 pili pono ka 'ōlelo e ola ana i ka ho'omau 'ia ana o ke 'ano o ka
16 nohona o ka po'e kânaka, ma ka ha'awina XV, paukū 4 ke ho'āmana



1 'ia nei 'elua mau 'ōlelo kūhelu o ka moku'āina o Hawai'i, 'oia ho'i
2 ka 'ōlelo Hawai'i a me ka 'ōlelo Pelekania.

3 Ma hope mai o ka makahiki 1978, ua hō'ōia hou 'ia e ka
4 Moku'āina 'o ka 'ōlelo Hawai'i kekahi o nā 'ōlelo kūhelu, a ua
5 kāko'o ka 'aha'ōlelo i nā hana e ho'okomo i ka 'ōlelo Hawai'i ma nā
6 palapala 'oihana o ka moku'āina, nā kuni, a me nā hō'ailona. Ua
7 mālama ka Moku'āina i ke koi 'ia a me ka pela pololei 'ia i ia mau
8 kākau 'ana no ka lehulehu. I kēia mau lā 'o ka ho'ohana pono 'ana
9 i ke kahakō a me ka 'okina he mea ia e hō'ike i ka mālama maika'i
10 'ia o ka 'ōlelo 'ōiwi o kēia mau mokupuni, a he mea nō ho'i ia e
11 ho'okō pono ai i ka mana'o a me ke kumu o ke kumukānāwai o ka
12 moku'āina.

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

19 (English translation of PAUKŪ 1)

20 SECTION 1. The legislature finds that the Constitution of
21 the State of Hawai'i provides for the preservation and promotion



1 of native Hawaiian culture, history, and language. Article X,
 2 section 4, of the Hawaii State Constitution provides that "[t]he
 3 State shall promote the study of Hawaiian culture, history and
 4 language." Article XII, section 7, of the Hawaii State
 5 Constitution provides that "[t]he State reaffirms and shall
 6 protect all rights, customarily and traditionally exercised for
 7 subsistence, cultural and religious purposes and possessed by
 8 ahupua'a tenants who are descendants of native Hawaiians who
 9 inhabited the Hawaiian Islands prior to 1778, subject to the
 10 right of the State to regulate such rights." Because
 11 maintaining a living language is an integral component of
 12 preserving a culture, article XV, section 4, of the Hawaii State
 13 Constitution establishes that English and Hawaiian are the
 14 official languages of Hawai'i.

15 Since 1978, the State has reaffirmed Hawaiian as one of its
 16 official languages, and the legislature has supported efforts to
 17 incorporate the Hawaiian language into official state writings,
 18 emblems, and signs. The State has ensured that these public
 19 inscriptions are mandatory, accurate, and spelled correctly.
 20 The use of proper Hawaiian macrons and glottal stops not only
 21 shows the deserved respect for the native language of these

1 islands, but also fully comports with the intent and purpose of
2 the state constitution.

3 Section 1-13, Hawaii Revised Statutes, provides that
4 English and Hawaiian are the official languages of Hawai'i.
5 Despite the statutory recognition of the Hawaiian language as an
6 official language of this State, the governor vetoed H.B. No.
7 1984, S.D. 1, C.D. 1, Regular Session of 2012, relating to
8 Hawaiian language, which would have strengthened the recognition
9 and furthered the usage of the Hawaiian language in official
10 documents. The governor's veto message indicates concerns about
11 possible misspellings and misinterpretation of Hawaiian words
12 and their effect on official documents.

13 The governor also indicated separately that the state
14 departments and agencies would administratively implement the
15 usage of Hawaiian words in official documents without the
16 necessity of a statutory mandate. However, the legislature is
17 concerned that this administrative initiative has not occurred.

18 The intent of this Act is not to require that bills and
19 other official documents be written in Hawaiian as well as
20 English; rather, if documents and letterheads prepared by or for
21 state or county agencies or officials contain Hawaiian names and



1 words, this Act requires that the Hawaiian names and words be
2 written in accurate, appropriate, and authentic Hawaiian.

3 The purpose of this Act is to ensure the constitutionally
4 and ethically mandated preservation of the Hawaiian language and
5 culture by requiring all newly created, replaced, or reprinted
6 state and county documents, letterheads, symbols, and emblems to
7 contain accurate, appropriate, and authentic Hawaiian names and
8 language only if Hawaiian words are included.

9 SECTION 2. Section 1-13, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§1-13 Official languages[-]; and punctuation.** English
12 and Hawaiian are the official languages of Hawaii. Whenever
13 there is found to exist any radical and irreconcilable
14 difference between the English and Hawaiian version of any of
15 the laws of the State, the English version shall be held
16 binding. Hawaiian shall not be required for public acts and
17 transactions[-]; provided that if Hawaiian words or names are
18 included in such documents, then section 1-13.5 shall apply."

19 SECTION 3. Section 1-13.5, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "~~[+]§1-13.5[+] Hawaiian language; spelling. [Macrons and~~
22 ~~glottal stops may be used in the spelling of words or terms in~~

1 ~~the Hawaiian language in]~~ (a) Effective January 1, 2014, all
2 documents and letterheads prepared by or for state or county
3 agencies or officials[-], to the extent that the documents and
4 letterheads contain Hawaiian language words or names, shall
5 include accurate, appropriate, and authentic Hawaiian names and
6 words, including proper Hawaiian spelling and punctuation,
7 including macrons and glottal stops that punctuate the English
8 word to which they relate; provided that any revision to conform
9 any document or letterhead existing on or before January 1,
10 2014, to the requirements of this section, may be implemented
11 when the document or letterhead requires replacement or
12 reprinting, or otherwise requires revision. Any rule, order,
13 policy, or other act, official or otherwise, that prohibits or
14 discourages the use of [~~these symbols~~] accurate, appropriate,
15 and authentic Hawaiian names and words, as required by this
16 section, shall be void.

17 (b) Hawaiian names and words shall be deemed accurate,
18 appropriate, and authentic when printed in conformance with:

19 (1) "Hawaiian Dictionary: Hawaiian-English, English-
20 Hawaiian", by Mary Kawena Pukui and Samuel H. Elbert,
21 University of Hawai'i Press, copyright 1986;



- 1 (2) "Māmaka Kaiāo: A Modern Hawaiian Vocabulary",
2 developed by the Kōmike Hua'ōlelo, the Hawaiian Lexicon
3 Committee;
- 4 (3) "Place Names of Hawaii", by Mary Kawena Pukui, Samuel
5 H. Elbert, and Esther T. Mookini, University of Hawai'i
6 Press, copyright 1974; or
- 7 (4) Any other commonly used, Hawaiian-language dictionary,
8 including one that takes into account the unique
9 spelling found in the Ni'ihau dialect.
- 10 (c) Any Hawaiian names and words that are misspelled or
11 incorrectly punctuated within a document or letterhead subject
12 to this section shall not be deemed to invalidate the document
13 or render it unenforceable. This section shall not be construed
14 to require that the full text of bills and other official
15 documents be written in Hawaiian. No cause of action shall
16 arise against the State, any county, or any state or county
17 agency, official, or employee for any Hawaiian names and words
18 that are misspelled or incorrectly punctuated."

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

21 "[~~5~~]**5-6.5**[~~5~~] **State language.** (a) The Hawaiian language
22 is the native language of [~~Hawaii~~] Hawai'i and [~~may~~], effective



1 January 1, 2014, shall be used on all emblems and symbols
2 representative of the State, its departments, agencies, and
3 political subdivisions[-]; provided that for emblems and symbols
4 existing on or before January 1, 2014, conformance with this
5 section may be delayed until a replacement for the emblem or
6 symbol is otherwise required.

7 (b) The Hawaiian language as used on all emblems and
8 symbols shall conform to the standards of section 1-13.5(b)."

9 SECTION 5. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Hawaiian Language; Public Documents; Letterhead

Description:

Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. Clarifies that the full text of official documents is not required to be written in Hawaiian, misspelled or incorrectly punctuated Hawaiian words and names shall not invalidate documents or render them unenforceable, and no cause of action shall arise accordingly. (HB109 HD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

