

Honolulu, Hawaii

FEB 12 2014

RE: S.B. No. 469

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Hawaiian Affairs and Technology and the Arts, to which was referred S.B. No. 469 entitled:

"A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Designate the month of February as "Ōlelo Hawai'i Month" to celebrate and encourage the use of Hawaiian Language;
- (2) Require that all letterheads, documents, symbols, and emblems of the State and other political subdivisions include accurate and appropriate Hawaiian names and words, beginning January 1, 2014;
- (3) Establish references for accurate, appropriate, and authentic Hawaiian names and words;
- (4) Clarify that the full text of bills and other official documents are not required to be written in Hawaiian and that misspelled or incorrectly punctuated Hawaiian words and names shall not invalidate the documents or render them unenforceable; and
- (5) Clarify that no cause of action shall arise against the State, any county, or any state or county agency, official, or employee for any Hawaiian names and words that are misspelled or incorrectly punctuated.



Your Committees received testimony in support of this measure from the Department of the Attorney General. Your Committees received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committees find that the State officially recognized the Hawaiian language as one of its official languages in 1978, and the Legislature has since supported efforts to incorporate the Hawaiian language into official state writings, emblems, and signs. The use of proper Hawaiian macrons and glottal stops not only shows the deserved respect for the Hawaiian language, but also fully comports with the intent and purpose of the Hawaii State Constitution to promote the study of Hawaiian culture, history, and language.

Your Committees have amended this measure by inserting the contents of H.B. No. 109, H.D. 3, S.D. 1 (2013), as recommended by the Department of the Attorney General. Specifically, this measure is amended by:

- (1) Removing language designating the month of February as "Ōlelo Hawai'i Month;"
- (2) Requiring that only letterheads, and not documents, that are prepared by or for state or county agencies or officials include proper Hawaiian spelling and punctuation;
- (3) Requiring that that all letterheads, symbols, and emblems of the State and other political subdivisions include accurate and appropriate Hawaiian names and language, beginning on January 1, 2015, rather than January 1, 2014;
- (4) Removing "Place Names of Hawaii", by Mary Kawena Pukui, Samuel H. Elbert, and Esther T. Mookini, as a reference for accurate, appropriate, and authentic Hawaiian names and words;
- (5) Removing language clarifying that incorrectly punctuated Hawaiian words or names within a document or letterhead shall not invalidate the document or render it unenforceable;



- (6) Removing language clarifying that no cause of action shall arise against the State, any county, or any state or county agency, official, or employee for any Hawaiian names and words that are misspelled or incorrectly punctuated;
- (7) Removing language clarifying that the full text of bills and other official documents are not required to be written in Hawaiian;
- (8) Removing those sections of the measure that are written in the Hawaiian language only;
- (9) Changing the effective date to July 1, 2014; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Technology and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 469, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 469, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Technology and the Arts,



GLENN WAKAI, Chair

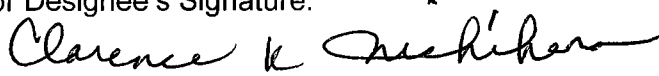


MAILE S.L. SHIMABUKURO, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Technology and the Arts
TEC

Bill / Resolution No.:* SB 469	Committee Referral: HWN/TEC, JDL	Date: 02/07/14		
<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
WAKAI, Glenn (C)	/			
NISHIHARA, Clarence K. (VC)	/			
IHARA, Les	/			
TOKUDA, Jill N.				/
SLOM, Sam				/
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes