

JAN 23 2015

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# A BILL FOR AN ACT

RELATING TO HAWAIIAN LANGUAGE.

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

1 MAHELE 1. Ke hō'ōia nei ka 'aha'ōlelo kau kānāwai 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 paukū X, mahele 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 paukū  
8 XII, mahele 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 o Kanaka o ke ahupua'a, 'o lākou he  
12 mamona nā Kanaka maoli i noho ma ka pae 'āina o Hawai'i nei ma  
13 mua o 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 kā po'e kānaka, ma ka paukū XV, mahele 4 ke ho'āmana 'ia



1 nei 'elua mau 'ōlelo kūhelu o ka moku'āina o Hawai'i, 'oia ho'i ka  
2 '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 ke 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 I ka makahiki 2012, ua hō'ole ke kia'āina i ka pila kānāwai  
14 H.B. No. 1984, S.D. 1, C.D. 1, he pila e ho'okūikawā ana i ka  
15 mahina 'o Pepeluali 'o ia ka "Mahina 'ōlelo Hawai'i" a e koi ana i  
16 ke pela pololei 'ana o nā hua'ōlelo Hawai'i like 'ole e pa'i 'ia  
17 nei ma nā palapala a pau o ka moku'āina a me ke kalana. Wahi a ke  
18 kia'āina, ua hō'ole 'o ia i ka pila no ka mea ua hiki iā ia ke  
19 ho'okō i ka mana'o nui o ia pila ma o kāna ho'oholo pono'i 'ana.  
20 Eia ho'i, 'oiai 'o ia i kūkala aku 'o Pepeluali ka "Mahina 'ōlelo



1 Hawai'i", a ma hope mai pūlima a 'āpono ho'i i ke kānāwai 'o S.B.  
2 No. 409, Kau Mau o 2013, e ho'oka'awale ana iā Pepeluali 'o ia ka  
3 "Mahina 'Ōlelo Hawai'i" ma ke kānāwai, 'a'ole na'e i hana 'ia  
4 kekahi mea no ke pela pololei 'ana i ka 'ōlelo Hawai'i ma nā  
5 palapala o ka moku'āina me ke kalana. A eia hou, ke hō'ōia nei ka  
6 'aha'ōlelo kau kānāwai, 'oiai ka 'ōlelo Hawai'i he 'ōlelo kūhelu o  
7 ka Moku'āina, he mea kūpono ke pela pololei 'ana i ka 'ōlelo  
8 Hawai'i, e like nō me ke pela pololei 'ana ma ka 'ōlelo Pelekania,  
9 ma nā palapala o ka moku'āina me ke kalana.

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

16 (English translation of MAHELE 1)

17 SECTION 1. The legislature finds that the Constitution of  
18 the State of Hawaii provides for the preservation and promotion  
19 of native Hawaiian culture, history, and language. Article X,  
20 section 4, of the Hawaii State Constitution provides that "[t]he



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

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



1           In 2012, the governor vetoed H.B. No. 1984, S.D. 1, C.D. 1,  
2 a bill establishing February as "Ōlelo Hawai'i Month" and  
3 requiring that all Hawaiian words used in state and county  
4 documents be properly spelled, punctuated, and diacritically  
5 marked. The governor stated that he vetoed the bill because he  
6 could achieve the contents of the bill administratively.  
7 However, while he proclaimed February as "Ōlelo Hawai'i Month"  
8 and later signed into law S.B. No. 409, Regular Session of 2013,  
9 which designates February as "Ōlelo Hawai'i Month" in statute,  
10 no action was taken regarding the correct use of Hawaiian words  
11 in state and county documents. The legislature further finds  
12 that, as an official language of the State, the Hawaiian  
13 language warrants the same correct usage as English in state and  
14 county documents.

15           The purpose of this Act is to ensure the constitutionally  
16 and ethically mandated preservation of the Hawaiian language and  
17 culture by requiring all newly created, replaced, or reprinted  
18 state and county documents, letterheads, symbols, and emblems,  
19 to contain accurate, appropriate, and authentic Hawaiian names  
20 and language.



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

3 "~~{}~~\$1-13.5~~{}~~ **Hawaiian language; spelling.** [~~Macrons and~~  
4 ~~glottal stops may be used in the spelling of words or terms in~~  
5 ~~the Hawaiian language in]~~ (a) Effective January 1, 2016, all  
6 documents and letterheads prepared by or for state or county  
7 agencies or officials[-] shall include accurate, appropriate,  
8 and authentic Hawaiian names and words, including proper  
9 Hawaiian spelling and punctuation, including but not limited to  
10 macrons and glottal stops that punctuate the English word to  
11 which they relate; provided that any revision to conform any  
12 document or letterhead existing on or before January 1, 2016, to  
13 the requirements of this section, may be implemented when the  
14 document or letterhead requires replacement or reprinting, or  
15 otherwise requires revision. Any rule, order, policy, or other  
16 act, official or otherwise, that prohibits or discourages the  
17 use of [~~these symbols]~~ accurate, appropriate, and authentic  
18 Hawaiian names and words, as required by this section, shall be  
19 void.

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



- 1        (1) "Hawaiian Dictionary: Hawaiian-English, English-  
2        Hawaiian", by Mary Kawena Pukui and Samuel H. Elbert,  
3        University of Hawai'i Press, copyright 1986;
- 4        (2) "Māmaka Kaiāo: A Modern Hawaiian Vocabulary",  
5        developed by the Kōmike Hua'ōlelo, the Hawaiian Lexicon  
6        Committee; or
- 7        (3) "Place Names of Hawaii", by Mary Kawena Pukui, Samuel  
8        H. Elbert, and Esther T. Mookini, University of Hawai'i  
9        Press, copyright 1974."

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

12        "[~~†~~]**\$5-6.5**[~~†~~] **State language.** (a) The Hawaiian language  
13        is the native language of [~~Hawaii~~] Hawai'i and [~~may~~], effective  
14        January 1, 2016, shall be used on all emblems and symbols  
15        representative of the State, its departments, agencies, and  
16        political subdivisions[-]; provided that for emblems and symbols  
17        existing on January 1, 2016, conformance with this section may  
18        be delayed until a replacement for the emblem or symbol  
19        otherwise is required.



1        (b) The Hawaiian language as used on all emblems and  
 2 symbols shall be in conformance with the requirements of section  
 3 1-13.5(b)."

4        SECTION 4. Statutory material to be repealed is bracketed  
 5 and stricken. New statutory material is underscored.

6        SECTION 5. This Act shall take effect upon its approval.

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# S.B. NO. 895

**Report Title:**

Hawaiian Language; Public Documents; Letterhead; Symbols

**Description:**

Requires that all letterheads, documents, symbols, and emblems of the State and other political subdivisions include accurate and appropriate Hawaiian names and language. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation.

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