

**"CHAPTER 8
HOLIDAYS AND PERIODS OF RECOGNITION AND OBSERVANCE**

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Note

Chapter heading amended by L 2015, c 35, §1.

" **§8-1 Holidays designated.** The following days of each year are set apart and established as state holidays:

The first day in January, New Year's Day;

The third Monday in January, Dr. Martin Luther King, Jr., Day;

The third Monday in February, Presidents' Day;

The twenty-sixth day in March, Prince Jonah Kuhio Kalanianaʻole Day;

The Friday preceding Easter Sunday, Good Friday;

The last Monday in May, Memorial Day;

The eleventh day in June, King Kamehameha I Day;

The fourth day in July, Independence Day;

The third Friday in August, Statehood Day;

The first Monday in September, Labor Day;

The eleventh day in November, Veterans' Day;

The fourth Thursday in November, Thanksgiving Day;

The twenty-fifth day in December, Christmas Day;

All election days, except primary and special election days, in the county wherein the election is held;

Any day designated by proclamation by the President of the United States or by the governor as a holiday. [L 1896, c 66, §1; am L 1903, c 55, §1; am L 1911, c 167, §1; am L 1915, c 20, §1; am L 1919, c 54, §1; RL 1925, pt of §146; RL 1935, pt of §21; am L 1941, c 132, pt of §1; RL 1945, pt of §21; am L 1945, JR 8, §1; am L 1949, JR 15, §1; am L 1953, c 278, pt of §10; am L 1955, c 9, §1; RL 1955, pt of §1-43; am L 1961, c 116, pt of §1; am L 1965, c 162, §1; HRS §8-1; am L 1969, c 156, §1; am L 1971, c 21, §2; am L 1976, c 220, §2; am L 1978, c 205, §2; am L 1980, c 11, §1; am L 1988, c 220, §1; am L 2001, c 65, §1]

Cross References

Computation of time, see §1-29.

Rules of Court

Computation of time, see DCRCP rule 6; HCTR rule 21; HFCR rule 6; HPR rule 10; HRAP rule 26(a); HRCP rule 6(a); HRPP rule 45(a).

Attorney General Opinions

When federal holiday is state holiday. Att. Gen. Op. 85-9.

Case Notes

See also note to §1-29.

Provision declaring Good Friday as state holiday does not violate First Amendment establishment clause of U.S. Constitution. 932 F.2d 765.

Cited: 17 H. 19, 22.

" **[§8-1.5] Discoverers' Day.** The second Monday in October shall be known as Discoverers' Day, in recognition of the Polynesian discoverers of the Hawaiian Islands, provided that this day is not and shall not be construed to be a state holiday. [L 1988, c 220, §4]

" **§8-2 Observance of holidays falling on Sundays and Saturdays.** If any of the State's legal holidays fall on Sunday, the following Monday shall be observed as a holiday. If the day falls on Saturday, the preceding Friday shall be observed as a holiday. [L 1923, c 151, §1; RL 1925, pt of §146; RL 1935, pt of §21; am L 1941, c 132, pt of §1; am L 1953, c 274, pt of §10; RL 1955, pt of §1-43; am L 1961, c 116, pt of §1; HRS §8-2; am L 1968, c 39, §2; am L 1969, c 156, §2; am L 1976, c 54, §1]

Attorney General Opinions

When a national holiday falls on Saturday, the Saturday and preceding Friday are considered holidays. Att. Gen. Op. 64-1.

" **§8-3 Banking holidays.** Whenever in the opinion of the governor, a public emergency exists, and it seems to the governor to be in the public interest, the governor may by proclamation designate and proclaim as legal banking holidays in the State such number of consecutive days as in the governor's judgment the emergency may require. The governor may extend the same as the governor may deem advisable. The proclamation of bank holidays shall not relate to any business other than that of banking and kindred operations, nor as prohibiting, perforce, any voluntary conduct of banking business, in whole or in part, except to the extent declared in the proclamation or in any further proclamation in enlargement or modification thereof. [L 1933, c 3, §1; RL 1935, pt of §21; am L 1941, c 132, pt of §1; RL 1955, pt of §1-43; am L 1961, c 116, pt of §1; HRS §8-3; gen ch 1985]

" **[§8-3.4] Civil Liberties and the Constitution Day.** January 30 shall be known and designated as "Civil Liberties and the Constitution Day" to celebrate, honor, and encourage public education and awareness of the commitment of individuals to preserving civil liberties for Americans of Japanese ancestry and actions to promote equal rights for all citizens. This day is not and shall not be construed to be a state holiday. [L 2013, c 94, §2]

" **[§8-3.5] Patriot Day.** September eleventh shall be known and designated as "Patriot Day". This day shall not be construed to be a state holiday. [L 2009, c 14, §2]

" **[§8-3.6] Gold Star Family Day.** The last Sunday in September shall be known as "Gold Star Family Day", in recognition of the family members of the men and women who have given their lives for their country while serving with the armed forces of the United States in time of war or during a period of hostilities. This day is not and shall not be construed to be a state holiday. [L 2014, c 7, §2]

" **§8-4 Buddha Day.** April 8 of each year shall be known and designated as "Buddha Day", provided that this day is not and shall not be construed to be a state holiday. [L 1963, c 162, §1; Supp, §1-43; HRS §8-4]

" **[§8-4.5] Baha'i New Year's Day.** The 21st day of March shall be known as Baha'i New Year's Day, provided that this day is not and shall not be construed to be a state holiday. [L 1971, c 39, §1]

" **[§8-4.6] Asian Lunar New Year Commemoration Week.** The one week period following the day of the Chinese New Year shall be known and designated as the "Asian Lunar New Year Week of Commemoration in Hawaii". This week is not and shall not be construed as a state holiday. [L 2007, c 48, §2]

" **§8-5 King Kamehameha celebration commission.** (a) There shall be a commission to be known as the King Kamehameha celebration commission placed within the department of accounting and general services for administrative purposes. The commission shall consist of thirteen members to be appointed

by the governor in the manner provided by section 26-34. The appointments shall be made from the following organizations, with at least one member from each organization:

- (1) Royal Order of Kamehameha I;
- (2) 'Ahahui Ka'ahumanu;
- (3) Hale O Nā Ali'i O Hawai'i 'Ahahui Po'o;
- (4) Daughters and Sons of Hawaiian Warriors;
- (5) Kamehameha Schools Alumni Association;
- (6) Association of Hawaiian Civic Clubs;
- (7) Waimanalo Homesteaders Association;
- (8) Kapahulu Music Club; and
- (9) Papakolea Community Association.

In addition, the governor shall appoint one member from each of the following islands: Kaua'i, Maui, Moloka'i, and Hawai'i. Each of these members shall be a resident of the respective island that the member represents.

(b) The terms of all appointments shall be four years. The governor shall appoint the chairperson of the commission from among the members.

(c) The members of the King Kamehameha celebration commission shall serve without compensation, but shall be entitled to reimbursement for travel and necessary expenses while attending meetings and while in discharge of their duties. The comptroller shall reimburse the members of the King Kamehameha celebration commission for all necessary expenses incurred during the discharge of their duties.

(d) The commission may appoint and dismiss an arts program specialist and a part-time clerk typist, without regard to chapter 76, who shall serve at the commission's pleasure, and whose salaries shall be provided through fees, public contributions, and private donations.

(e) The commission shall have charge of all arrangements for the celebration each year generally observed throughout Hawai'i Nei on June 11, to commemorate the memory of the great Polynesian Hawaiian warrior and statesman King Kamehameha I, who united the Hawaiian Islands into the Kingdom of Hawai'i, and is recognized as such under section 8-1. The commission may appoint committees and delegate powers and duties to the committees as it shall determine.

(f) The comptroller shall account for all moneys appropriated by the legislature, may raise funds to defray administrative costs, and may accept donations of money and personal property on behalf of the commission; provided that all donations accepted from private sources shall be expended in the manner prescribed by the contributor, and all moneys received from all sources shall be deposited into the commission's trust account.

(g) The commission shall be the coordinating agency for all state sponsored as well as other celebration events staged during the celebration period as designated by the commission to assure activities planned are timely and appropriate to commemorate the memory of King Kamehameha I. The commission is authorized to determine to whom and for which occasions permission is to be granted for the use of the statue of King Kamehameha I.

(h) The commission shall adopt rules pursuant to chapter 91 necessary for the purpose of this section. [L 1939, c 227, §1; RL 1945, §12935; am L 1949, c 87, §1; RL 1955, §14-6; am L 1957, c 152, §1; am L 1959, c 117, §1; HRS §8-5; am L 1970, c 193, §1; am L 1972, c 50, §1; am L 1974, c 57, §1; am L 1981, c 220, §1; am L 1984, c 227, §2; gen ch 1985; am L 1988, c 220, §2; am L 1993, c 280, §2; am L 1997, c 189, §1; am L 1998, c 193, §1; am L 2000, c 253, §150]

Cross References

Acting members of commission, see §26-36.

Commission placed within department of accounting and general services for administrative purposes, see §26-6.

Membership on other boards and commissions prohibited, see §78-4.

Quorum, see §92-15.

" **[§8-5.5] Queen Lili'uokalani Day.** September 2 of each year shall be known and recognized as "Queen Lili'uokalani Day" in memory of the birth of Queen Lili'uokalani on September 2, 1838; provided that this day shall not be a state holiday. [L 1993, c 11, §1]

" **§8-6 REPEALED.** L 1988, c 220, §3.

" **[§8-7] Arbor Day.** The first Friday in November shall be known as Arbor Day, provided that this day is not and shall not be construed to be a state holiday. [L 1979, c 17, §1]

" **§8-8 Saint Damien de Veuster Day.** May 10 of each year shall be known and designated as "Saint Damien de Veuster Day", provided that this day is not and shall not be construed to be a state holiday. [L 1982, c 46, §1; am L 2010, c 10, §2]

Cross References

Damien Memorial Chapel, see §326-33.

" **[§8-8.2] Saint Marianne Cope Day.** January 23 of each year shall be known and designated as "Saint Marianne Cope Day", provided that this day is not and shall not be construed to be a state holiday. [L 2014, c 3, §2]

" **[§8-9] Respect for Our Elders Day.** The third Sunday of October shall be known and recognized as "Respect for Our Elders Day" during which our elders may be honored with appropriate displays, celebrations, and ceremonies. Respect for Our Elders Day shall not be taken as a state holiday. [L 1986, c 15, §1]

" **[§8-10] Bodhi Day.** December 8 of each year shall be known and designated as "Bodhi Day" in recognition that on this day Prince Siddhartha Gautama, after six years of study and rigorous ascetic practices and meditation, attained "enlightenment" or "awakening" to the true nature of existence, which was later conceptualized as the "Four Noble Truths". This day is not and shall not be construed to be a state holiday. [L 1990, c 216, §1]

" **§8-11 Children and Youth Day and Month.** (a) The first Sunday in October shall be known and designated as "Children and Youth Day", and the entire month of October shall be known and designated as "Children and Youth Month". This day and month are not and shall not be construed to be state holidays.

(b) Unless otherwise determined by the governor, public events celebrating children and youth may be held in the area of the state capitol, including on and around its grounds, as follows:

- (1) Celebrations of Children and Youth Day may be held on the first Sunday of October; and
- (2) Public events, such as the Children and Youth Summit, which may be held in the month of October. [L 1994, c 243, §2; am L 1997, c 30, §2; am L 2012, c 221, §1]

" **§8-12 World Ocean Day.** June 8 of each year shall be known and recognized as "World Ocean Day" to celebrate and honor the oceans of the world, improve international relations, and

increase public awareness of conservation management of the ocean environment; provided that this day is not and shall not be construed to be a state holiday. All citizens shall be encouraged to observe and celebrate the blessings of the oceans and endeavor to become caretakers of the ocean for future generations. [L 1998, c 21, §2; am L 2009, c 2, §1]

" **[§8-13] Lei Day.** May 1 of each year shall be known as "May Day is Lei Day in Hawai'i"; provided that this day is not and shall not be construed to be a state holiday. [L 2001, c 11, §2]

Cross References

State flower and individual island flowers, see §5-16.

" **§8-14 Financial Literacy Month.** The month of April shall be known and designated as "Financial Literacy Month". This month is not and shall not be construed to be a state holiday. [L 2004, c 37, §2; am L 2006, c 47, §2]

" **[§8-15] Kupuna Recognition Day.** The fourth Saturday of July shall be known and designated as Kupuna Recognition Day, in recognition of the very significant role that kupuna play in Hawaii's culture, history, and traditions. This day is not and shall not be construed as a state holiday. [L 2006, c 122, §1]

" **[§8-16] Peace Day.** September 21 of each year shall be known and recognized as "Peace Day" to promote peace programs, improve international relations, and increase educational awareness of peace; provided that this day is not and shall not be construed to be a state holiday. All citizens shall be encouraged to observe and celebrate the blessings of peace and endeavor to create peace on Peace Day. [L 2007, c 23, §1]

" **[§8-16.2] Mohandas Karamchand Gandhi Day.** October 2 of each year shall be known and designated as "Mohandas Karamchand Gandhi Day"; provided that this day is not and shall not be construed to be a state holiday. [L 2015, c 5, §2]

" **[§8-17] Caregiver Recognition Day.** The first Saturday of November shall be known and designated as "Caregiver Recognition Day", in recognition of the very significant role that

caregivers play in support of Hawaii's elderly and persons with disabilities. This day is not and shall not be construed as a state holiday.

As used in this section, "caregiver" means any person who has undertaken the care, custody, or physical assistance of an elderly or disabled person, including but not limited to compensated or uncompensated family members or other relatives, or any person who has the desire, or a legal, or contractual duty to care for the health, safety, and welfare of an elderly or disabled person, including owners, operators, employees, or staff of long-term care facilities and community home-based institutions. [L 2008, c 6, §1]

" **[§8-18] Filipino-American History Month.** The month of October shall be known and designated as "Filipino-American History Month". The month of October shall commemorate the contributions of Filipino-Americans to the history and heritage of Hawaii and the United States. This month is not and shall not be construed as a state holiday. [L 2008, c 15, §2]

" **[§8-18.5] Sakada Day.** December 20 of each year shall be known and designated as "Sakada Day"; provided that this day is not and shall not be construed to be a state holiday. [L 2015, c 7, §2]

" **[§8-19] Makahiki Commemoration Day.** November 20th of each year shall be known and designated as Makahiki Commemoration Day. This day shall not be construed as a state holiday. [L 2008, c 68, §2]

" **[§8-20] Language Access Month.** The month of August shall be known and designated as "Language Access Month" to promote awareness of language access for government services and emphasize the importance of and need for language access in Hawaii's diverse society. This month is not and shall not be construed as a state holiday. [L 2009, c 69, §2]

" **[§8-21] Domestic Violence Awareness Month.** The month of October shall be known and designated as "Domestic Violence Awareness Month" to promote public awareness of domestic violence as a significant societal, public health, and criminal

justice problem. This month is not and shall not be construed as a state holiday. [L 2012, c 73, §1]

" **[§8-22] Kalo Appreciation Month.** The month of October shall be known and designated as "Kalo Appreciation Month" to celebrate the strong kalo tradition in Hawaii and the cultural connection of native Hawaiians to kalo, the Hawaiian word for taro. This month is not and shall not be construed as a state holiday. [L 2013, c 7, §2]

" **[§8-23] Homelessness Awareness Month.** The month of November shall be known and designated as "Homelessness Awareness Month" to promote public awareness of homelessness as a significant societal, public health and welfare, and public housing shortage problem. This month is not and shall not be construed as a state holiday. [L 2013, c 50, §1]

" **[§8-24 'Ōlelo Hawai'i Month.]** (a) Mahina 'Ōlelo Hawai'i. E 'ike mau a e kapa 'ia ana ae ka mahina 'o Pepeluali 'o ia ka "Mahina 'Ōlelo Hawai'i" i mea e ho'omaika'i a e paipai aku ai i ka 'ōlelo 'ana o ua 'ōlelo makuahine nei la. 'A'ole e kū ana kēia mahina i kapa 'ia ka "Mahina 'Ōlelo Hawai'i" i lānui o ka moku'āina o Hawai'i.

(b) 'Ōlelo Hawai'i Month. The month of February shall be known and designated as "'Ōlelo Hawai'i Month" to celebrate and encourage the use of Hawaiian language. This month is not and shall not be construed as a state holiday. [L 2013, c 28, §2]

Revision Note

The two new sections enacted were redesignated as subsections (a) and (b) pursuant to §23G-15.

" **[§8-25] Human Trafficking Awareness Month.** The month of January shall be known and designated as "Human Trafficking Awareness Month" to promote public awareness of human trafficking as a significant societal and public health crisis. This month is not and shall not be construed to be a state holiday. [L 2013, c 246, §1]

" **[§8-28] Outdoor Heritage Month.** The month of June shall be known and designated as "Outdoor Heritage Month" to celebrate

Hawaii's diverse natural environment and recreational activities. [L 2014, c 12, §2]