



HAWAI‘I CIVIL RIGHTS COMMISSION

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February 9, 2021
Videoconference, 1:00 p.m.

To: The Honorable Maile S.L. Shimabukuro, Chair
The Honorable Jarrett Keohokalole, Chair Vice Chair
Members of the Senate Committee on Hawaiian Affairs

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 1413

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

S.B. No. 1413 would amend the HRS § 5-6.5 to require the governor, lieutenant governor, state legislators, and heads of principal departments to prominently display a Hawaiian translation of the name of their office or department at least once on the main page of their official website and in the letterhead of their stationery. It allows the Office of Hawaiian Affairs to be consulted regarding translation.

Our State Constitution establishes that both Hawaiian and English are the official languages of the State (State Constitution, Article XV, § 4).

Language is closely tied to culture and identity. Indeed, language rights are specifically recognized and protected in Article 13 of the United Nations Declaration on the Rights of Indigenous Peoples:

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

We note that this bill is similar to S.B. No. 711, which requires all letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate and appropriate Hawaiian names, spelling, and punctuation, and establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. That bill also establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation, which we suggest could be incorporated in S.B. No. 1413; or, in the alternative, the bill could provide for one entity with authoritative expertise to provide the required accurate, appropriate, and authentic translations.

It is important and appropriate that the State of Hawai‘I take action to respect and promote the use of the Hawaiian language as required in this bill. **The HCRC supports S.B. No. 1413.**

SB-1413

Submitted on: 2/5/2021 11:01:20 AM

Testimony for HWN on 2/9/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Chang	Individual	Support	No

Comments:

I believe this protocol is relatively simple to implement, needed and innovative for our community and supports our founding constitutional values.

Mahalo for this opportunity testify.

Aloha

Kevin

SB-1413

Submitted on: 2/8/2021 7:24:24 AM

Testimony for HWN on 2/9/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Keao NeSmith	Individual	Support	No

Comments:

Hawaiian is the indigenous language of the Hawaiian Islands and must be maintained. Thank you for this bill and its intent. In Hawaiian culture one defers to the language of the kupuna and I encourage reliance on native speakers who continue to pass on the Hawaiian language transmitted to them from their kupuna as resources for the terms needed.

Keao NeSmith, PhD

SB-1413

Submitted on: 2/8/2021 7:36:21 AM

Testimony for HWN on 2/9/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kahea Faria	Individual	Comments	No

Comments:

Me ke aloha mau no o ka aina keia e waiho aku nei i neia mau manao imua o oukou, e na Poo o ko Hawaii Aha Kau Kanawai,

I support the intent of SB1413 *to require the governor, lieutenant governor, state legislators, and heads of principal departments to prominently display a Hawaiian translation of the name of their office or department at least once on the main page of their official website and in the letterhead of their stationery.* **I strongly recommend** the inclusion of native speakers (L1) – those who come from an unbroken lineage of native speakers of Hawaiian language –such as Ka Leo o na Kupa of the County of Kauai, as a consultant to determine the appropriate use of the Hawaiian language and its spelling, including the acknowledgement of spelling utilized in the Hawaiian language newspapers from their beginnings in the 1800’s until their closure in the early 1900s, which is still a common practice within the native speaking community today.