

STAND. COM. REP. NO.

193

Honolulu, Hawaii

FEB 12 2021

RE: S.B. No. 1413  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Hawaiian Affairs, to which was referred  
S.B. No. 1413 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require the  
Governor, Lieutenant Governor, state legislators, and heads of  
principal departments to prominently display a Hawaiian language  
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 stationary.

Your Committee received testimony in support of this measure  
from the Hawaii Civil Rights Commission and two individuals. Your  
Committee received comments on this measure from one individual.

Your Committee finds that the Hawaii State Constitution  
provides for the preservation and promotion of native Hawaiian  
culture, history, and language. Article X, section 4, of the  
Hawaii State Constitution provides that "[t]he State shall promote  
the study of Hawaiian culture, history, and language." Article  
XII, section 7, of the Hawaii State Constitution provides for the  
protection of native Hawaiian traditional and customary rights.  
Article XV, section 4, of the Hawaii State Constitution also  
establishes English and Hawaiian as the official languages of the  
State. The Hawaiian language is also established in section 1-13,



Hawaii Revised Statutes, as one of the official languages of the State. Additionally, language rights are specifically recognized and protected in Article 13 of the United Nations Declaration on the Rights of Indigenous Peoples, which provides that states shall take effective measures to ensure that the right to revitalize, use, and develop language for communities. Your Committee further finds that one way to preserve and promote native Hawaiian culture, history, and language is by requiring state and county documents, letterheads, symbols, and emblems to contain accurate, appropriate, and authentic Hawaiian names and language.

Your Committee has amended this measure by:

- (1) Inserting the contents of S.B. No. 711, a substantially similar measure, which:
  - (A) 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;
  - (B) Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation; and
  - (C) Clarifies 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 no cause of action shall arise accordingly;
- (2) Replacing the Office of Hawaiian Affairs with the University of Hawai'i Ka Haka 'Ula o Ke'elikōlani or Kawaihuelani Center for Hawaiian Language as the entity to consult with each office or department on the appropriate translation and use of the Hawaiian language and its spelling;
- (3) Requiring that the University of Hawaii System Ka Haka 'Ula o Ke'elikōlani or Kawaihuelani Center for Hawaiian



Language consult with native speakers to determine the appropriate use of the Hawaiian language and its spelling in the translations;

- (4) Defining "native speakers" as speakers of Hawaiian language who come from an unbroken lineage of primary speakers of Hawaiian language; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1413, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1413, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Hawaiian Affairs,



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MAILE S.L. SHIMABUKURO, Chair



