
A BILL FOR AN ACT

RELATING TO SUPPORT FOR TRADITIONAL NATIVE SPEAKERS OF HAWAIIAN.

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

1 SECTION 1. The legislature finds that, during the
2 twentieth century, the political agenda set forth by the new
3 government order of 1900 minimized the value of the Hawaiian
4 language and its function in society under the new order and
5 ceased public support of Hawaiian language for education, public
6 services, and use in all areas of daily life across Hawaii.
7 This severely decreased the number of Hawaiian language speakers
8 and readers to the point where, in 1948, the last Hawaiian
9 language newspaper that was commercially sold closed due to lack
10 of readership, thus severely hampering the possibility for
11 further development of the language for the modern era. Over
12 the next few decades, the number of Hawaiian language speakers
13 declined and almost became extinct in 1948, and in the 1980s
14 when there were fewer than fifty fluent speakers under eighteen
15 years of age, according to Ka Wai Ola - The Living Water of OHA,
16 the monthly newspaper of the office of Hawaiian affairs.



1 The legislature also finds that, due in part to the growth
2 of Hawaiian immersion schools since the mid-1980s, the number of
3 Hawaiian language speakers and readers has increased to an
4 estimated eighteen thousand, according to a 2016 report by the
5 research economic analysis division of the department of
6 business, economic, development, and tourism.

7 The legislature further finds that the growth in the number
8 of Hawaiian language speakers and readers should be applauded,
9 as this growth has provided an opportunity to accommodate its
10 speakers, their linguistic backgrounds, and the types of support
11 needed to maintain fluency. Also, while there has been a
12 regular native-speaker presence at the University of Hawaii at
13 Manoa campus for decades through its resource staff, native
14 speakers have been absent from nearly all classrooms in Hawaii,
15 minimizing their ability to create new speakers. Had native
16 speakers been at the helm of Hawaiian language maintenance,
17 planning, modeling, and teaching, much of the newly invented
18 Hawaiian language of today would not have evolved and new
19 speakers would sound and think like native speakers.

20 The legislature finds that families of Niihau, who live on
21 Niihau and Kauai, have maintained the language of their



1 ancestors and are now the only true community of Hawaiian
2 language native speakers left in the world, inclusive of kupuna,
3 adults, and children, who use Hawaiian as their primary
4 language. As a community, they have never lost the Hawaiian
5 language. This sets them apart from learners in schools and
6 classrooms of the Hawaiian islands whose primary language is
7 English or another language, where native-speaker communities no
8 longer exist.

9 The legislature believes that the function of Hawaiian
10 immersion schools and mainstream classrooms is to retrieve a
11 language that for their participants is new to them, and to add
12 to the language by inventing new terms and ways of expression
13 that are foreign to Niihau speakers.

14 The purpose of this Act is to clarify the type of support
15 needed for native speakers in certain islands who have never
16 lost the Hawaiian language in their families and to appropriate
17 funds to support the perpetuation of that language with regard
18 to the provision of public services and notices to native
19 speakers in the language and orthography they understand best as
20 described by them.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to part II, subpart B, to be
3 appropriately designated and to read as follows:

4 "§302A- Hawaiian language. (a) For purposes of this
5 chapter, in any island with a population of five hundred or
6 less, the Hawaiian language shall be recognized as the sole
7 indigenous language of the Hawaiian islands, as recognized in
8 the Constitution of the State of Hawaii as an official language,
9 and any public school may offer a course in Hawaiian language.
10 Hawaiian language speakers currently consist of native speakers
11 whose families have never lost the language and new speakers who
12 have come to learn the language either from native speakers or
13 through classroom study.

14 (b) As used in this section:

15 "Hawaiian language" means the language of native speakers
16 who come from an unbroken lineage of the speakers of the
17 language spoken prior to 1778 in the islands referenced in
18 section 2 of the Organic Act.

19 "Native speakers" means speakers of the Hawaiian language
20 who come from an unbroken lineage of primary speakers of the



1 Hawaiian language and children of new speakers whose language is
2 that of their parents who are new speakers.

3 "New speakers" means speakers whose first language is
4 something other than Hawaiian who have come to learn Hawaiian
5 later in life to a level of proficiency comparable to that of
6 competent native speakers, whether from instruction by native
7 speakers or classroom- or self-study not from native speakers."

8 SECTION 3. Section 1-13, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§1-13 Official languages.** (a) English and Hawaiian are
11 the official languages of Hawaii. Whenever there is found to
12 exist any radical and irreconcilable difference between the
13 English and Hawaiian version of any of the laws of the State,
14 the English version shall be held binding. Hawaiian shall not
15 be required for public acts and transactions.

16 (b) For each island with a population of five hundred or
17 less, every effort shall be made to accommodate Hawaiian
18 speakers, both native speakers and new speakers in their
19 respective varieties and orthographies, by translating public
20 documents, notices, and medical records to Hawaiian and by
21 providing interpreters for social and legal services in a



1 version of Hawaiian best suited for native speakers, such as
2 Niihau community members, and new speakers, respectively.

3 For the purposes of this subsection, "Hawaiian" means the
4 language of native speakers who come from an unbroken lineage of
5 the speakers of the language spoken prior to 1778 in the islands
6 referenced in section 2 of the Organic Act."

7 SECTION 4. (a) The public charter school commission, in
8 consultation with native speakers, shall conduct a study on the
9 Hawaiian language, including the variety of the Hawaiian
10 language spoken on Niihau and any other Hawaiian language known
11 to have been perpetuated since 1777 in the Hawaiian archipelago.

12 (b) No later than twenty days prior to the regular session
13 of 2024, the public charter school commission shall publish
14 educational and community resource materials for native speakers
15 of the Hawaiian language.

16 (c) In conducting the study required by subsection (a) and
17 publishing the materials required by subsection (b), the state
18 public charter school commission shall collaborate with the
19 college of education of the University of Hawaii and conduct
20 community consultation with parents and kupuna that are Hawaiian



1 language speakers to determine the most appropriate use of
2 Hawaiian language in schools and the community.

3 (d) The state public charter school commission shall
4 submit a report to the legislature no later than twenty days
5 prior to the regular session of 2024 on its findings of the
6 study on the Hawaiian language required by subsection (a) and
7 the extent to which it consulted with the college of education
8 of the University of Hawaii and the community pursuant to
9 subsection (c).

10 (e) For purposes of this section:

11 "Hawaiian language" means the language of native speakers
12 who come from an unbroken lineage of the speakers of the
13 language spoken prior to 1778 in the islands referenced in
14 section 2 of the Organic Act.

15 "Native speakers" means speakers of the Hawaiian language
16 who come from an unbroken lineage of primary speakers of the
17 Hawaiian language and children of new speakers whose language is
18 that of their new speakers' parents.

19 SECTION 5. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2023-2024 for



1 the state public charter school commission (program ID EDN 612)
2 to conduct the study, publish the materials, consult, and draft
3 the report as required by section 5 of this Act.

4 The sum appropriated shall be expended by the public
5 charter school commission for the purposes of this Act.

6 SECTION 6. New statutory material is underscored.

7 SECTION 7. This Act shall take effect on June 30, 3000.



Report Title:

Hawaiian Language; State Official Languages; DOE; State Public Charter School Commission; University of Hawaii; Appropriations

Description:

Requires that, in any island with a population of five hundred or less, every effort shall be made to accommodate Hawaiian speakers and readers and defines the term Hawaiian language for that purpose. Authorizes department of education schools in any island with a population of five hundred or less to offer Hawaiian language as the sole indigenous language of the Hawaiian islands. Appropriates funds to the state public charter school commission to study the Hawaiian language and for the publication of educational resource materials for native speakers of the Hawaiian language. Effective 6/30/3000. (HD1)

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