

ACT 152

S.B. NO. 732

A Bill for an Act Relating to State Holidays.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that indigenous peoples, including Native Hawaiians, have thrived and remained resilient for generations, contributing to the world through rich histories, knowledge, and cultural practices. However, generations of federal and state policies sought to bring shame upon, assimilate, and displace indigenous peoples and eradicate native cultures. In Hawaii, this fact, coupled with the introduction of new infectious diseases introduced by Western contact, resulted in an eighty-four per cent decline in the Native Hawaiian population in the first sixty years since Captain James Cook's arrival in the islands in 1778.

The legislature additionally finds that the movement to recognize Indigenous Peoples' Day in the United States began as a protest of Columbus Day, which was declared to commemorate the anniversary of Christopher Columbus' landfall in the Western hemisphere. Nationwide, Indigenous Peoples' Day honors and commemorates the histories, cultures, and traditions of indigenous peoples and recognizes that the colonial takeovers of the Americas, starting with Columbus, led to the deaths of millions of native people and the forced assimilation of survivors. The movement to replace Columbus Day began in 1990, with South Dakota becoming the first state to rename the holiday. Since 1992, a growing grassroots effort to replace Columbus Day with Indigenous Peoples' Day or Native American Day has spread to seventeen states and the District of Columbia. In 2021 and 2022, President Biden issued a proclamation that

recognized Indigenous Peoples’ Day on the second Monday of October, with the latter proclamation “honor[ing] the sovereignty, resilience, and immense contributions that Native Americans have made to the world”. Indigenous Peoples’ Day recognizes the continued survival of the descendants of indigenous peoples worldwide, including Native Hawaiians, and in Hawaii, honors the individuals who first made the islands habitable.

The legislature further finds that presently, Hawaii is one of seventeen states that does not celebrate Columbus Day; instead, it observes Discoverers’ Day on the second Monday in October “in recognition of the Polynesian discoverers of the Hawaiian Islands” pursuant to Act 220, Session Laws of Hawaii 1988. While Discoverers’ Day acknowledges the ancestors of Native Hawaiians and other indigenous Polynesians who discovered Hawaii, recognizing and designating Indigenous Peoples’ Day as an observed day will serve to educate Hawaii’s people about the State’s obligation to the original inhabitants of the aina, or land, and the State’s continued protection of all rights customarily and traditionally exercised by the descendants of those native people, as well as to celebrate the revival of previously-taboo cultural practices, such as hula and olelo Hawaii, and all cultures that form Hawaii today.

Therefore, the purpose of this Act is to:

- (1) Designate the second Monday in October as Indigenous Peoples’ Day; and
- (2) Establish Indigenous Peoples’ Day as an observed day.

SECTION 2. Chapter 8, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§8- **Indigenous Peoples’ Day.** The second Monday in October of each year shall be known as Indigenous Peoples’ Day; provided that this day is not and shall not be construed to be a state holiday.”

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved June 29, 2023.)

Note

1. Edited pursuant to HRS §23G-16.5.