



TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-SEVENTH LEGISLATURE, 2013

ON THE FOLLOWING MEASURE:

H.B. NO. 109, H.D. 1, RELATING TO HAWAIIAN LANGUAGE.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Thursday, February 7, 2013

TIME: 2:02 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
Charleen M. Aina, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General submits this testimony to recommend a drafting change and provide one comment about the bill.

The purpose of this bill is to assure that Hawaiian words that are included in documents, emblems, and symbols prepared or produced by state and county agencies are correctly spelled, punctuated, and diacritically marked.

We recommend that the subsection (c) added to section 5-6.5, Hawaii Revised Statutes (HRS), on page 8, lines 5-7, be added instead to section 1-13.5, HRS, on page 7, beginning at line 7 because section 1-13.5 applies to documents and section 5-6.5 applies only to emblems and symbols. If the Committee agrees with this recommendation, the subsection (c) added to section 1-13.5, HRS, beginning at line 7 on page 7 of the bill should be re-designated subsection (d).

Although H.B. No. 109, H.D.1, responds to the Department's concerns with respect to the consequences of not spelling, punctuating, or diacritically marking Hawaiian names and words properly, the second concern Governor Abercrombie cited in vetoing H.B. No. 1984 remains unaddressed by this bill. Governor Abercrombie also expressed concern that the Legislature had not fully appreciated nor addressed how much time and resources either would have to be added, or redirected away from existing duties and responsibilities, to properly implement that bill. In the Statement of Objections to H.B. No. 1984, the Governor wrote:

The bill has laudable . . . goals. However, the bill is so broad that it does not take into account the number of instances that Hawaiian words, particularly place names, are included in the myriad of documents state and county agencies

type, print, or handwrite every day. Nor does the bill adequately address the resources required to assure that all Hawaiian words are spelled, punctuated, and diacritically marked correctly.

While these are not legal concerns, we would be remiss if we did not point out that the Governor cited them as a second reason for vetoing H.B. No 1984.

Please do not hesitate to email or call me if our drafting recommendation is unclear.

har2-Vincent

From: Joel Fischer [jfischer@hawaii.edu]
Sent: Tuesday, February 05, 2013 1:44 PM
To: JUDtestimony
Subject: HB109, HD1

HB109, HD1, Hawaiian Language
Jud; Chair, Rep Rhodes

PLEASE PASS THIS BILL, WITH AMENDMENT (below).

When I read this bill, my reaction was, "DUH!" Hawaiian is one of two official language of Hawai`i, and yet we need a bill to require correct usage and spelling. HEWA!! So, of course it must be passed.

AMENDMENT: I request that the following language be added to the bill: "The Legislature urges all media in Hawai`i, including the Star-Advertiser and the television stations, to respect the status of the Hawaiian language as an official language by doing everything in their power to correctly spell and pronounce all Hawaiian words."

Thank you for acting on this issue. It is long overdue.

Aloha, joel

--

Dr. Joel Fischer, ACSW
Professor (Ret.)
University of Hawai`i, School of Social Work
Honolulu, HI 96822

President, 19-4, Democratic Party

har2-Vincent

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 05, 2013 7:58 PM
To: JUDtestimony
Cc: jeannine@hawaii.rr.com
Subject: Submitted testimony for HB109 on Feb 7, 2013 14:02PM

HB109

Submitted on: 2/5/2013

Testimony for JUD on Feb 7, 2013 14:02PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Support	No

Comments: I strongly support HB109 HD1 that establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. Hau`oli au e hui pū me `oukou e ho`omau i ka `olelo Hawai`i! Mahalo!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 11:47 PM
To: JUDtestimony
Cc: kmaquino@hawaii.edu
Subject: *Submitted testimony for HB109 on Feb 7, 2013 14:02PM*

HB109

Submitted on: 2/4/2013

Testimony for JUD on Feb 7, 2013 14:02PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kamakana Aquino	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 06, 2013 12:26 PM
To: JUDtestimony
Cc: leavey@hawaii.edu
Subject: Submitted testimony for HB109 on Feb 7, 2013 14:02PM

HB109

Submitted on: 2/6/2013

Testimony for JUD on Feb 7, 2013 14:02PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shawn A. James Leavey	Individual	Support	Yes

Comments: Aloha e Nā Lunamaka 'āinana - kāko'o au i kēia pila. Mahalo nui no kā 'oukou ho'oholo aku 'ana i ia pila nei.

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har2-Vincent

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 06, 2013 10:09 PM
To: JUDtestimony
Cc: crystalkpaul@yahoo.com
Subject: *Submitted testimony for HB109 on Feb 7, 2013 14:02PM*

HB109

Submitted on: 2/6/2013

Testimony for JUD on Feb 7, 2013 14:02PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Kia Paul	Individual	Support	No

Comments:

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HB109 HD1
RELATING TO HAWAIIAN LANGUAGE
House Committee on Judiciary

February 7, 2013

2:02 p.m.

Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB109 HD1, which requires that all letterheads, documents, symbols, and emblems of the State and its political subdivisions include accurate and appropriate Hawaiian names and language. The use of accurate and appropriate Hawaiian names and language, as required by HB109, would have a negligible financial impact on the State because corrections would only have to occur when the document, letterhead, symbol or emblem requires replacement or reprinting, or otherwise requires revision. Therefore, the cost of this action is far outweighed by the benefit of reflecting the appropriate level of respect and recognition that should be directed towards one of the two official languages of the state.

In addition, a beneficiary with connections to Ni‘ihau expressed to us her concern that the bill’s language resources used to determine the accurate spelling of Hawaiian words – listed in lines 1-9 on page 12 of the bill – are too limited and would not necessarily reflect the correct spelling of the Ni‘ihau dialect. We request that the bill be amended to address this issue.

OHA urges the committee to **PASS** HB109 HD1. Mahalo for the opportunity to testify on this important measure.