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# A BILL FOR AN ACT

RELATING TO THE HAWAIIAN LANGUAGE.

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

1 MAHELE 1. Ke hō'ōia nei ka 'aha'ōlelo kau kānāwai o ka  
2 Moku'āina o Hawai'i nei ua 'ae 'ia ma ke Kumukānāwai o ka Moku'āina  
3 o Hawai'i ka mālama 'ana mai a me ka paipai 'ana ho'i i ka 'ike a  
4 me ka nohona Kanaka, ka mo'olelo, a me ka 'ōlelo 'ōiwi o Hawai'i.  
5 Ma loko o ka ha'awina X, paukū 4, 'ōlelo 'ia penei, "e paipai ka  
6 Moku'āina i ke a'o 'ana i ka 'ike a me ka nohona Kanaka, ka  
7 mo'olelo a me ka 'ōlelo 'ōiwi o Hawai'i." A ma loko o ka ha'awina  
8 XII, paukū 7, 'ōlelo 'ia penei, "ke hō'ōia hou nei ka Moku'āina e  
9 mālama a ho'omalua 'ia nā kuleana a me nā pono a pau, i hana  
10 kuluma 'ia no ke ola pono o ka noho 'ana, nā 'ano o ka nohona a me  
11 ka ho'omana i pa'a mau i nā Kanaka ke ahupua'a, 'o lākou he mamo  
12 na nā Kanaka maoli i noho ma ka pae 'āina o Hawai'i nei ma mua o  
13 ka makahiki 1778, a koe kekahi kuleana o ka Moku'āina e  
14 ho'oponopono i ia mau kuleana a me nā pono." 'Oiai ua 'ike 'ia he  
15 pili pono ka 'ōlelo e ola ana i ka ho'omau 'ia ana o ke 'ano o ka  
16 nohona o ka po'e kānaka, ma ka ha'awina XV, paukū 4 ke ho'āmana



1 'ia nei 'elua mau 'ōlelo kūhelu o ka moku'āina o Hawai'i, 'oia ho'i  
2 ka 'ōlelo Hawai'i a me ka 'ōlelo Pelekania.

3 Ma hope mai o ka makahiki 1978, ua hō'ōia hou 'ia e ka  
4 Moku'āina 'o ka 'ōlelo Hawai'i kekahi o nā 'ōlelo kūhelu, a ua  
5 kāko'o ka 'aha'ōlelo i nā hana e ho'okomo i ka 'ōlelo Hawai'i ma nā  
6 palapala 'oihana o ka moku'āina, nā kuni, a me nā hō'ailona. Ua  
7 mālama ka Moku'āina i ke koi 'ia a me ka pela pololei 'ia i ia mau  
8 kākau 'ana no ka lehulehu. I kēia mau lā 'o ka ho'ohana pono 'ana  
9 i ke kahakō a me ka 'okina he mea ia e hō'ike i ka mālama maika'i  
10 'ia o ka 'ōlelo 'ōiwi o kēia mau mokupuni, a he mea nō ho'i ia e  
11 ho'okō pono ai i ka mana'o a me ke kumu o ke kumukānāwai o ka  
12 moku'āina.

13 'O ke kumu o kēia Kānāwai 'oia ho'i ka mālama 'ana ma lalo o  
14 ka mana o ke kumukānāwai ka 'ōlelo Hawai'i, a me ka 'ike a me ka  
15 nohona Kanaka ma o ke koi 'ana e ho'ohana 'ia nā inoa Hawai'i a me  
16 ka 'ōlelo Hawai'i 'ano pololei loa a kūpono ma nā palapala, nā  
17 po'oinoaleka, nā hō'ailona, a me nā kuni, i ka wā e hana mua 'ia,  
18 ka hana hou 'ia, a i 'ole ka pa'i hou 'ana.

19 (English translation of MAHELE 1)



1           SECTION 1. The legislature finds that the Constitution of  
2 the State of Hawai'i provides for the preservation and promotion  
3 of native Hawaiian culture, history, and language. Article X,  
4 section 4, of the Hawaii State Constitution provides that "[t]he  
5 State shall promote the study of Hawaiian culture, history and  
6 language." Article XII, section 7, of the Hawaii State  
7 Constitution provides that "[t]he State reaffirms and shall  
8 protect all rights, customarily and traditionally exercised for  
9 subsistence, cultural and religious purposes and possessed by  
10 ahupua'a tenants who are descendants of native Hawaiians who  
11 inhabited the Hawaiian Islands prior to 1778, subject to the  
12 right of the State to regulate such rights." Because  
13 maintaining a living language is an integral component of  
14 preserving a culture, article XV, section 4, of the Hawaii State  
15 Constitution establishes that English and Hawaiian are the  
16 official languages of Hawai'i.

17           Since 1978, the State has reaffirmed Hawaiian as one of its  
18 official languages, and the legislature has supported efforts to  
19 incorporate the Hawaiian language into official state writings,  
20 emblems, and signs. The State has ensured that these public  
21 inscriptions are mandatory, accurate, and spelled correctly.



1 The use of proper Hawaiian macrons and glottal stops not only  
2 shows the deserved respect for the native language of these  
3 islands, but also fully comports with the intent and purpose of  
4 the state constitution.

5 Section 1-13, Hawaii Revised Statutes, provides that  
6 English and Hawaiian are the official languages of Hawai'i.  
7 Despite the statutory recognition of the Hawaiian language as an  
8 official language of this State, the governor vetoed House Bill  
9 No. 1984, S.D. 1, C.D. 1, Regular Session of 2012, relating to  
10 Hawaiian language, which would have strengthened the recognition  
11 and furthered the usage of Hawaiian in official documents. The  
12 veto message indicates concerns about possible misspellings and  
13 misinterpretation of Hawaiian words and their effect on official  
14 documents.

15 The governor also indicated separately that the state  
16 departments and agencies would administratively implement the  
17 usage of Hawaiian words in official documents without the  
18 necessity of a statutory mandate. However, the legislature is  
19 concerned that this administrative initiative has not occurred.

20 The intent of this part is not to require that bills and  
21 other official documents be written in Hawaiian as well as



1 English; rather, if documents and letterheads prepared by or for  
2 state or county agencies or officials contain Hawaiian names and  
3 words, this Act requires that the Hawaiian names and words be  
4 written in accurate, appropriate, and authentic Hawaiian.

5 The purpose of this part is to ensure the constitutionally  
6 and ethically mandated preservation of the Hawaiian language and  
7 culture by requiring all newly created, replaced, or reprinted  
8 state and county documents, letterheads, symbols, and emblems to  
9 contain accurate, appropriate, and authentic Hawaiian names and  
10 language only if Hawaiian words are included.

11 SECTION 2. Section 1-13, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "**§1-13 Official languages.** English and Hawaiian are the  
14 official languages of Hawaii. Whenever there is found to exist  
15 any radical and irreconcilable difference between the English  
16 and Hawaiian version of any of the laws of the State, the  
17 English version shall be held binding. Hawaiian shall not be  
18 required for public acts and transactions[-]; provided that if  
19 Hawaiian words or names are included in such documents, then  
20 section 1-13.5 shall apply."



1 SECTION 3. Section 1-13.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~[+]§1-13.5[+]~~ **Hawaiian language; spelling.** [~~Macrons and~~  
4 ~~glottal stops may be used in the spelling of words or terms in~~  
5 ~~the Hawaiian language in]~~ (a) Effective January 1, 2020, all  
6 documents and letterheads prepared by or for state or county  
7 agencies or officials[-], to the extent that the documents and  
8 letterheads contain Hawaiian language words or names, shall  
9 include accurate, appropriate, and authentic Hawaiian names and  
10 words, including proper Hawaiian spelling and punctuation,  
11 including but not limited to macrons and glottal stops that  
12 punctuate the English word to which they relate; provided that  
13 any revision to conform any document or letterhead existing on  
14 or before January 1, 2020, to the requirements of this section,  
15 may be implemented when the document or letterhead requires  
16 replacement or reprinting, or otherwise requires revision. Any  
17 rule, order, policy, or other act, official or otherwise, that  
18 prohibits or discourages the use of [~~these symbols]~~ accurate,  
19 appropriate, and authentic Hawaiian names and words, as required  
20 by this section, shall be void.



- 1        (b) Hawaiian names and words shall be deemed accurate,  
2 appropriate, and authentic when printed in conformance with:
- 3        (1) "A Dictionary of the Hawaiian Language", by Lorrin  
4 Andrews, revised by Henry H. Parker, prepared under  
5 the direction of the Board Of Commissioners Of Public  
6 Archives Of The Territory Of Hawaii, 1922;
- 7        (2) "Hawaiian Dictionary: Hawaiian-English, English-  
8 Hawaiian", by Mary Kawena Pukui and Samuel H. Elbert,  
9 University of Hawai'i Press, copyright 1986;
- 10       (3) "Māmaka Kaiāo: A Modern Hawaiian Vocabulary",  
11 developed by the Kōmike Hua'ōlelo, the Hawaiian Lexicon  
12 Committee;
- 13       (4) "Place Names of Hawaii", by Mary Kawena Pukui, Samuel  
14 H. Elbert, and Esther T. Mookini, University of Hawai'i  
15 Press, copyright 1974;
- 16       (5) Ulukau: The Hawaiian Electronic Library, located at  
17 internet address <http://ulukau.org>; or
- 18       (6) Other sources.
- 19       (c) Any Hawaiian names and words that are misspelled or  
20 incorrectly punctuated within a document or letterhead subject  
21 to this section shall not be deemed to invalidate the document



1 or render it unenforceable. No cause of action shall arise  
2 against the State, any county, or any state or county agency,  
3 official, or employee for any Hawaiian names and words that are  
4 misspelled or incorrectly punctuated."

5 SECTION 4. Section 5-6.5, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "[+]§5-6.5[+] State language. (a) The Hawaiian language  
8 is the native language of [~~Hawaii~~] Hawai'i and [~~may~~], effective  
9 January 1, 2020, shall be used on all emblems and symbols  
10 representative of the State, its departments, agencies, and  
11 political subdivisions[-]; provided that for emblems and symbols  
12 existing on January 1, 2020, conformance with this section may  
13 be delayed until a replacement for the emblem or symbol  
14 otherwise is required.

15 (b) The Hawaiian language as used on all emblems and  
16 symbols shall conform to the requirements of section 1-13.5(b).

17 (c) This section shall not be construed to require that  
18 the full text of bills and other official documents be written  
19 in Hawaiian."

20 SECTION 5. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.





1 SECTION 6. This Act shall take effect upon its approval.



**Report Title:**

Hawaiian Language; Public Documents; Letterhead; Symbols

**Description:**

Requires any Hawaiian words or names included in public acts and transactions to be accurate, appropriate, and authentic. Requires all newly created, replaced, or reprinted letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate, appropriate, and authentic Hawaiian words, names, spelling, and punctuation. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. 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. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

