
A BILL FOR AN ACT

RELATING TO THE LAW OF THE SPLINTERED PADDLE.

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

1 SECTION 1. The legislature finds that King Kamehameha I
2 enacted ke kanawai mamalahoe, or the law of the splintered
3 paddle, to protect his people by proclaiming that all innocent
4 persons, especially the elderly and the youth, shall be allowed
5 to lay safely on the side of the road without fear of harm or
6 attack. This law is a symbol of the importance Native Hawaiians
7 placed on caring for others and ensuring the safety of society's
8 most vulnerable people and has endured for generations.

9 The legislature further finds that the law of the
10 splintered paddle specifically states:

11 "O my people
12 Honor thy gods
13 Respect alike (the rights of)
14 Men great and humble
15 See to it that our aged
16 Our women and our children
17 Lie down to sleep by the roadside



1 Without fear or harm.

2 Disobey, and die."

3 The legislature further finds that the law of the
4 splintered paddle is enshrined in article IX, section 10, of the
5 Hawaii State Constitution, which is both the supreme law of the
6 State of Hawaii and the document from which all other sources of
7 authority within the State are defined. The Hawaii State
8 Constitution specifically declares that the law of the
9 splintered paddle "shall be a unique and living symbol of the
10 State's concern for public safety." The legislature believes
11 that the State and each of its political subdivisions must honor
12 and uphold this most important and eternal provision of the
13 Hawaii State Constitution.

14 Accordingly, the purpose of this Act is to uphold the law
15 of the splintered paddle, as enshrined in the Hawaii State
16 Constitution, by prohibiting a county from disturbing a person
17 lying by the roadside in safety.

18 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
19 by adding a new section to be appropriately designated and to
20 read as follows:



1 "§46- Law of the splintered paddle; prohibition on
2 disturbing a person lying by the roadside in safety. (a) In
3 accordance with article IX, section 10, of the Hawaii State
4 Constitution, no county shall enact any ordinance that prohibits
5 a person from sitting or lying by the roadside; provided that
6 this section shall not prohibit a duly empowered county official
7 from removing a person from a roadside if conditions exist that
8 would place the person at risk of immediate bodily injury.

9 (b) As used in this section, "by the roadside" includes
10 any sidewalk, as that term is defined in section 291C-1."

11 SECTION 3. New statutory material is underscored.

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



S.B. NO. 1246
S.D. 1

Report Title:

Counties; Ke Kanawai Mamalahoe; Law of the Splintered Paddle

Description:

Prohibits a county from enacting any ordinance that prohibits a person from lying by the roadside in safety in accordance with the law of the splintered paddle. (SD1)

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