
A BILL FOR AN ACT

RELATING TO THE HAWAIIAN LANGUAGE.

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

1 SECTION 1. The legislature finds that the Hawaiian
2 language is Hawai'i's indigenous and first language, as well as
3 the original language of Hawai'i's executive, judicial, and
4 legislative branches. During his reign, King Kamehameha III
5 famously declared, "He aupuni palapala ko'u", or "Mine is the
6 kingdom of education", in reference to the high literacy rate in
7 the Kingdom of Hawai'i. This level of literacy continued into
8 the 1900s, as 95.3 per cent of Native Hawaiians were literate,
9 according to the 1910 United States Census. However, due to a
10 myriad of political, economic, and social pressures, the
11 Hawaiian language was materially marginalized, leading to its
12 atrophy and eventual formal and practical exclusion from public
13 and civic spaces. Nevertheless, due to the Hawaiian language
14 community's efforts and resilience, the existence of the
15 Hawaiian language has been maintained and its vitality restored
16 for future generations.



1 The legislature recognizes that Hawaiian language
2 practitioners generally employ two written orthographies, namely
3 unmarked language and marked language. The unmarked orthography
4 was the first writing system of Hawaiian language. The marked
5 orthography, which includes the kahakō and 'okina, was created as
6 a means to help learners of Hawaiian language determine when to
7 elongate a vowel or where to insert a glottal stop. The intent
8 of this measure is not to claim the superiority of one version
9 of orthography over the other, or to invalidate communities with
10 an unbroken lineage of Hawaiian speakers who do not follow
11 contemporary Hawaiian writing or structures, as communities such
12 as these are vital to Native Hawaiian culture and the State as a
13 whole. Rather, the intent of this measure is to establish a
14 standard for the spelling and punctuation of Hawaiian names and
15 words when they appear in certain documents, letterheads, and
16 highway signage created by state and county agencies for the
17 purposes of consistency and uniformity.

18 Additionally, the intent of this Act is not to require that
19 legislative bills and other official documents be written in
20 Hawaiian as well as English; rather, if documents and
21 letterheads prepared by or for state or county agencies or



1 officials contain Hawaiian names and words, this Act only
2 requires that the Hawaiian names and words be written in a
3 consistent manner. This measure further clarifies that Hawaiian
4 spelling not in conformance with the standards established by
5 this measure will not invalidate an official document, nor will
6 it allow a cause of action to arise. Finally, this measure
7 intends that consistent spelling and punctuation of Hawaiian
8 names and words be used only for state highway signs and the
9 letterheads, symbols, emblems, and documents of certain
10 designated state officials created on or after January 1, 2023,
11 or when there is a need to reprint or revise existing state
12 highway signs or the letterheads, symbols, emblems, and
13 documents of certain designated state officials.

14 Accordingly, the purpose of this Act is to require:

15 (1) Official stationery and websites of designated state
16 officials to include the Hawaiian translation of the
17 office's or department's name;

18 (2) All letterheads, documents, symbols, and emblems of
19 the State and counties and state highway signs that
20 include Hawaiian names and words to include Hawaiian



names, words, spelling, and punctuation consistent
with certain references; and

(3) The University of Hawaii to compile a full list of all
dialects and other variations of the Hawaiian language
currently in use.

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

"§1-13 Official languages. English and Hawaiian are the
official languages of Hawaii. Whenever there is found to exist
any radical and irreconcilable difference between the English
and Hawaiian version of any of the laws of the State, the
English version shall be held binding. Hawaiian shall not be
required for public acts and transactions~~[-]~~; provided that if
Hawaiian names or words are included in those documents, the
names or words shall be consistent with Hawaiian spelling and
punctuation, including kahakō and 'okina, as determined under
section 1-13.5(b)."

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

"[+]§1-13.5[+] Hawaiian language; spelling. ~~[Macrons and~~
~~glottal stops may be used in the spelling of words or terms in~~



1 ~~the Hawaiian language in documents]~~ (a) Effective January 1,
2 2023, all documents and letterheads and, notwithstanding any law
3 to the contrary, state highway signs prepared by or for state or
4 county agencies or officials[-], to the extent that the
5 documents, letterheads, and state highway signs contain Hawaiian
6 language names or words, those Hawaiian names and words shall be
7 used consistently and the Hawaiian spelling and punctuation
8 shall also be consistent, including kahakō and 'okina that
9 punctuate the name or word to which they relate, except for
10 documents, letterheads, and state highway signs specifically
11 designed for the benefit of native speakers of Hawaiian;
12 provided that any revision to conform any document, letterhead,
13 or state highway sign existing before January 1, 2023, to the
14 requirements of this section may be implemented when the
15 document, letterhead, or state highway sign requires replacement
16 or reprinting or otherwise requires revision; provided further
17 that any document submitted to state or county agencies or
18 officials by members of the general public shall not require the
19 use of kahakō or 'okina. Any rule, order, policy, or other act,
20 official or otherwise, that prohibits or discourages the use of



1 ~~[these symbols]~~ consistent Hawaiian names and words, as required
2 by this section, shall be void.

3 (b) For the purposes of consistency, Hawaiian names and
4 words shall be printed in conformance with:

5 (1) "Hawaiian Dictionary: Hawaiian-English, English-
6 Hawaiian", by Mary Kawena Pukui and Samuel H. Elbert,
7 University of Hawai'i Press, copyright 1986;

8 (2) "Māmaka Kaiao: A Modern Hawaiian Vocabulary",
9 developed by the Kōmike Hua'ōlelo, the Hawaiian Lexicon
10 Committee;

11 (3) "Place Names of Hawaii", by Mary Kawena Pukui, Samuel
12 H. Elbert, and Esther T. Mookini, University of Hawai'i
13 Press, copyright 1974, as revised and expanded in
14 1976;

15 (4) Any other commonly used Hawaiian-language dictionary,
16 including dictionaries that account for the unique
17 characteristics of the Ni'ihau dialect and other
18 Hawaiian dialects; provided that this dictionary shall
19 only be used to determine consistency in any document,
20 publication, or state highway sign that is intended



for use specifically in a community where a unique
dialect is commonly used; or

(5) Consultations from members of the Hawaiian-speaking
language community, including individuals who are
fluent in the Ni'ihau dialect and other Hawaiian
dialects; provided that this reference shall only be
used to determine consistency in any document,
publication, or state highway sign that is intended
for use specifically in a community where a unique
dialect is commonly used.

(c) Any Hawaiian names and words that are spelled or
punctuated inconsistently with subsection (b) within a document
or letterhead subject to this section shall not be deemed to
invalidate the document or render it unenforceable. No cause of
action shall arise against the State, any county, or any state
or county agency, official, or employee for any Hawaiian names
and words that are spelled or punctuated inconsistently with
subsection (b).

(d) For the purpose of this section, "native speakers" are
speakers of the Hawaiian language who come from an unbroken
lineage of primary speakers of the Hawaiian language."



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

"~~[§]~~**§5-6.5**~~[§]~~ **State language.** (a) The Hawaiian language is the native language of Hawaii and ~~[may]~~, effective January 1, 2023, shall be used on all emblems and symbols representative of the State, its departments, agencies and political subdivisions ~~[and, notwithstanding any laws to the contrary, state highway signs; provided that for emblems, symbols, and state highway signs existing before January 1, 2023, conformance with this section may be delayed until a replacement for the emblem, symbol, or state highway sign is otherwise required.]~~

(b) The governor, lieutenant governor, state legislators, and heads of the principal departments shall prominently display a Hawaiian translation of the name of their respective office or department at least once on the main page of their official website and in the letterhead of their stationery. The University of Hawai'i Ka Haka 'Ula o Ke'elikōlani or Kawaihuelani Center for Hawaiian Language may consult with each office or department prior to implementing the translation on the appropriate use of the Hawaiian language and its spelling. The University of Hawai'i shall consult with native speakers to



1 determine the appropriate use of the Hawaiian language and its
2 spelling in translations.

3 (c) The Hawaiian language as used on all emblems, symbols,
4 and state highway signs shall conform to the requirements of
5 section 1-13.5(b).

6 (d) This section shall not be construed to require that
7 the full text of legislative bills and other official documents
8 be written in Hawaiian.

9 (e) For the purpose of this section, "native speakers" are
10 speakers of the Hawaiian language who come from an unbroken
11 lineage of primary speakers of the Hawaiian language."

12 SECTION 5. The University of Hawaii shall compile a full
13 list of all dialects and other variations in the Hawaiian
14 language currently in use and shall submit a report of its
15 findings to the legislature no later than twenty days prior to
16 the convening of the regular session of 2023.

17 SECTION 6. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 7. This Act shall take effect on July 1, 2044.

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Report Title:

Hawaiian Language; Official Websites; Letterhead; Translation;
State Highway Signs; Symbols; Emblems; University of Hawaii

Description:

Requires all letterheads, documents, state highway signs, symbols, and emblems of the State and other political subdivisions that include Hawaiian names or words to include consistent Hawaiian names, spelling, and punctuation, including the use of kahakō and 'okina. Establishes references for consistent Hawaiian names and words, including consistent Hawaiian spelling and punctuation. Requires the governor, lieutenant governor, state legislators, and heads of principal departments to prominently display a Hawaiian language translation of the name of their respective office or department at least once on the main page of their official website and in the letterhead of their stationery. Clarifies that the full text of bills and other official documents are not required to be written in Hawaiian and that inconsistently spelled or punctuated Hawaiian words and names shall not invalidate the documents or render them unenforceable and no cause of action shall arise accordingly. Requires the University of Hawaii to compile a full list of all dialects and other variations in the Hawaiian language currently in use and submit a report of its findings to the legislature. Effective 7/1/2044. (HD1)

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