
A BILL FOR AN ACT

RELATING TO SUPPORT FOR TRADITIONAL NATIVE SPEAKERS OF HAWAIIAN.

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

1 SECTION 1. The legislature finds that, during the
2 twentieth century, the political agenda set forth by the new
3 government order of 1900 minimized the value of the Hawaiian
4 language and its function in society under the new order and
5 ceased public support of Hawaiian language for education, public
6 services, and use in all areas of daily life across Hawaii.
7 This severely decreased the number of Hawaiian language speakers
8 and readers over the next few decades to the point where the
9 Hawaiian language almost became extinct. In 1948, the last
10 Hawaiian language newspaper that was commercially sold closed
11 due to lack of readership, thus severely hampering the
12 possibility for further development of the language for the
13 modern era. By the 1980s, there were fewer than fifty fluent
14 speakers under eighteen years of age, according to Ka Wai Ola -
15 The Living Water of OHA, the monthly newspaper of the office of
16 Hawaiian affairs.



1 The legislature also finds that, due in part to the growth
2 of Hawaiian immersion schools since the mid-1980s, the number of
3 Hawaiian language speakers and readers has increased to an
4 estimated eighteen thousand, according to a 2016 report by the
5 research economic analysis division of the department of
6 business, economic development, and tourism.

7 The legislature further finds that the growth in the number
8 of Hawaiian language speakers and readers should be applauded,
9 as this growth has provided an opportunity to accommodate its
10 speakers, their linguistic backgrounds, and the types of support
11 needed to maintain fluency. Also, while there has been a
12 regular native-speaker presence at the University of Hawaii at
13 Manoa campus for decades through its resource staff, native
14 speakers have been absent from nearly all classrooms in Hawaii,
15 minimizing their ability to create new speakers. Had native
16 speakers been at the helm of Hawaiian language maintenance,
17 planning, modeling, and teaching, much of the newly invented
18 Hawaiian language of today would not have evolved and new
19 speakers would sound and think like native speakers.

20 The legislature finds that families of Niihau, who live on
21 Niihau and Kauai, have maintained the language of their



1 ancestors and are now the only true community of Hawaiian
2 language native speakers left in the world, inclusive of kupuna,
3 adults, and children, who use Hawaiian as their primary
4 language. As a community, they have never lost the Hawaiian
5 language. This sets them apart from learners in schools and
6 classrooms of the Hawaiian islands whose primary language is
7 English or another language, where native-speaker communities no
8 longer exist.

9 The legislature believes that the function of Hawaiian
10 immersion schools and mainstream classrooms is to retrieve a
11 language that for their participants is new to them, and to add
12 to the language by inventing new terms and ways of expression
13 that are foreign to Niihau speakers.

14 The purpose of this Act is to clarify the type of support
15 needed for native speakers in certain islands who have never
16 lost the Hawaiian language in their families and to appropriate
17 funds to support the perpetuation of that language with regard
18 to the provision of public services and notices to native
19 speakers in the language and orthography they understand best as
20 described by them.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to part II, subpart B, to be
3 appropriately designated and to read as follows:

4 "§302A- Hawaiian language. (a) For purposes of this
5 chapter, in any island with a population of five hundred or
6 less, the Hawaiian language shall be recognized as the sole
7 indigenous language of the Hawaiian islands, as recognized in
8 the Constitution of the State of Hawaii as an official language,
9 and any public school may offer a course in Hawaiian language.
10 Hawaiian language speakers currently consist of native speakers
11 whose families have never lost the language and new speakers who
12 have come to learn the language either from native speakers or
13 through classroom study.

14 (b) As used in this section, "Hawaiian language", "native
15 speakers", and "new speakers" shall have the same meaning as
16 those terms are defined in section 1-13."

17 SECTION 3. Section 1-13, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "§1-13 Official languages. (a) English and Hawaiian are
20 the official languages of Hawaii. Whenever there is found to
21 exist any radical and irreconcilable difference between the



1 English and Hawaiian version of any of the laws of the State,
2 the English version shall be held binding. Hawaiian shall not
3 be required for public acts and transactions.

4 (b) For each island with a population of five hundred or
5 less, every effort shall be made to accommodate Hawaiian
6 speakers, both native speakers and new speakers in their
7 respective varieties and orthographies, by translating public
8 documents, notices, and medical records to Hawaiian and by
9 providing interpreters for social and legal services in a
10 version of Hawaiian best suited for native speakers, such as
11 Niihau community members, and new speakers, respectively.

12 For the purposes of this subsection:

13 "Hawaiian" means the language of native speakers who come
14 from an unbroken lineage of the speakers of the language spoken
15 prior to 1778 in the islands referenced in section 2 of the
16 Organic Act.

17 "Native speakers" means speakers of the Hawaiian language
18 who come from an unbroken lineage of primary speakers of the
19 Hawaiian language and children of new speakers whose language is
20 that of their parents who are new speakers.



1 "New speakers" means speakers whose first language is
2 something other than Hawaiian who have come to learn Hawaiian
3 later in life to a level of proficiency comparable to that of
4 competent native speakers, whether from instruction by native
5 speakers or classroom- or self-study not from native speakers."

6 SECTION 4. (a) The state public charter school
7 commission, in consultation with native speakers, shall conduct
8 a study on the Hawaiian language, including the variety of the
9 Hawaiian language spoken on Niihau and any other Hawaiian
10 language known to have been perpetuated since 1777 in the
11 Hawaiian archipelago.

12 (b) No later than twenty days prior to the regular session
13 of 2024, the state public charter school commission shall
14 publish educational and community resource materials for native
15 speakers of the Hawaiian language.

16 (c) In conducting the study required by subsection (a) and
17 publishing the materials required by subsection (b), the state
18 public charter school commission shall collaborate with the
19 college of education of the University of Hawaii and conduct
20 community consultation with parents and kupuna that are Hawaiian



1 language speakers to determine the most appropriate use of
2 Hawaiian language in schools and the community.

3 (d) The state public charter school commission shall
4 submit a report to the legislature no later than twenty days
5 prior to the regular session of 2024 on its findings of the
6 study on the Hawaiian language required by subsection (a) and
7 the extent to which it consulted with the college of education
8 of the University of Hawaii and the community pursuant to
9 subsection (c).

10 (e) As used in this section, "Hawaiian language", "native
11 speakers", and "new speakers" shall have the same meaning as
12 those terms are defined in section 1-13, Hawaii Revised
13 Statutes.

14 SECTION 5. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so
16 much thereof as may be necessary for fiscal year 2023-2024 for
17 the state public charter school commission (program ID EDN 612)
18 to conduct the study, publish the materials, consult
19 stakeholders, and draft the report as required by section 4 of
20 this Act.



1 The sum appropriated shall be expended by the state public
2 charter school commission for the purposes of this Act.

3 SECTION 6. New statutory material is underscored.

4 SECTION 7. This Act shall take effect on June 30, 3000.



Report Title:

Hawaiian Language; State Official Languages; DOE; State Public Charter School Commission; University of Hawaii; Appropriation

Description:

Provides that, in any island with a population of five hundred or less, Hawaiian language shall be recognized as the sole indigenous language of the Hawaiian islands; public schools may offer a course in Hawaiian language; and every effort shall be made to accommodate Hawaiian speakers. Requires and appropriates funds for the state public charter school commission to study the Hawaiian language, publish resource materials for native speakers of the Hawaiian language, consult stakeholders, and submit a report to the legislature. Effective 6/30/3000. (HD2)

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