A BILL FOR AN ACT

RELATING TO HAWAIIAN AS AN OFFICIAL LANGUAGE OF THE STATE OF HAWAI'I.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

MAHELE 1. Ma ka 'Aha 'Elele Hana Kumukānāwai o Hawai'i i ka makahiki 1978, ua ho'olale ke Kōmike Kuleana Hawai'i he ho'ololi 'ōlelo pāku'i i ho'opa'a 'ia ma ka Paukū XV, §4 o ke Kumukānāwai o ka Mokuʻāina 'o Hawai'i, 'o ka 'ōlelo Hawai'i, he 'ōlelo kūhelu o ka Mokuʻāina 'o Hawai'i. Ua mana'o ke Kōmike he pono ka lilo 'ana o ka 'ōlelo Hawai'i i 'ōlelo kūhelu o Hawai'i i mea e ho'ohanohano pono ai i ka mo'omeheu 'ōiwi o Hawai'i i ili mai i nā lāhui a pau o Hawai'i nei.

Eia hou, ho'omaopopo ka 'Aha'ōlelo, ke ho'oiakaika nei nā aupuni o nā 'āina 'ē i nā pono o nā lāhui 'ōiwi ma 'ō a 'ō o ka honua. I ka makahiki 2007, ua 'āpono 'ia ka Hō'ike no nā Pono o nā Lāhui 'Ōiwi e ka 'Aha Aupuni Hui Pū 'Ia. I ka makahiki 2011, ua pūlima ka Pelekikena o 'Amelika Hui Pū 'Ia i ia Hō'ike. Ma ka paukū 13 o ka Hō'ike, 'ōlelo 'ia:

"1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their
histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means."

MAHELE 2. E ho'ololi 'ia ka Mahele 1-13 o nā 'Ōlelo Kūpa'a Ho'oponopono Hou 'Ia o Hawai'i e heluhelu 'ia penei:

"$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; provided that if the law in question was originally drafted in Hawaiian and the English version was translated based on the Hawaiian version, the Hawaiian version shall be held binding. Hawaiian shall not be required for public acts and transactions."
MAHELE 3. E ho'ololi 'ia ka Mahele 1-13.5 o na 'Olelo Kūpa'a Ho'oponopono Hou 'Ia o Hawai'i e heluhelu 'ia penei:

"§1-13.5 Hawaiian language; spelling. [Macrons and glottal stops may] (a) ‘Okina and kahakō shall be used in the spelling of words or terms in the Hawaiian language, when appropriate, in documents prepared by or for state or county agencies or officials; provided that any document submitted to state or county agencies or officials by members of the general public shall not require the use of ‘okina and kahakō. Any rule, order, policy, or other act, official or otherwise, that prohibits or discourages the use of these symbols shall be void.

(b) An ‘okina, or glottal stop, shall be represented as a left single quotation mark. A kahakō elongates vowel sounds and shall be represented as a macron over a vowel."

MAHELE 4. 'O nā mea kāpae 'ia, aia i loko o nā kahaapo kihikihi a ua kahawaena 'ia. 'O nā mea hou, ua kahalalo 'ia.

MAHELE 5. E ka'a ana kēia kānāwai ma kona 'āpono 'ia.

(English Translation)

SECTI0N 1. The legislature finds that at the Constitutional Convention of Hawai'ī of 1978, the committee on
Hawaiian affairs proposed the constitutional amendment that is now enshrined in article XV, section 4 of the Hawai‘i State Constitution, which establishes Hawaiian as an official language of the State of Hawai‘i. The committee felt it necessary to include this amendment in the constitution "in order to give full recognition and honor to the rich cultural inheritance that Hawaiians have given to all ethnic groups of the State."


"1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons."
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means."

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; provided that if the law in question was originally drafted in Hawaiian and the English version was translated based on the Hawaiian version, the Hawaiian version shall be held binding. Hawaiian shall not be required for public acts and transactions."

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] (a) ‘Okina and kahakō shall be used in the
spelling of words or terms in the Hawaiian language, when appropriate, in documents prepared by or for state or county agencies or officials[; provided that any document submitted to state or county agencies or officials by members of the general public shall not require the use of ‘okina and kahakō. Any rule, order, policy, or other act, official or otherwise, that prohibits or discourages the use of these symbols shall be void.

(b) An ‘okina, or glottal stop, shall be represented as a left single quotation mark. A kahakō elongates vowel sounds and shall be represented as a macron over a vowel."

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY:

JAN 2 2 2019
Report Title:
Hawaiian Language; State Law; Public Documents

Description:
Requires that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and then translated into English. Requires that ‘okina and kahakō be used, when appropriate, in documents prepared by or for state or county agencies or officials.

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