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 HAWAII:

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 Moku‘āina ‘o Hawai‘i, ‘o ka ‘ōlelo Hawai‘i, he ‘ōlelo kūhelu o ka Moku‘āina ‘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.

Pālua nā kumu o kēia kānāwai. ‘O ka mua, he ho‘oikaika kēia i ka ho‘ohana ‘ia o ka ‘ōlelo Hawai‘i. ‘O ka lua, he paipai kēia i ka Moku‘āina ‘o Hawai‘i e kau i ka ‘ōlelo Hawai‘i ma ka pae like o ka ‘ōlelo Pelekānia e like me ka mana'o i kau ai ka mahele 1-13 o ke Kumukānāwai o Hawai‘i ma ka makahiki 1978.

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. (a) In recognition of the United Nations Declaration on the Rights of Indigenous Peoples, the legislature asserts that Native Hawaiians have the right to revitalize, use, develop, and transmit to future generations their histories, language, oral traditions, philosophies, writing systems, and literatures, and to designate and retain their own names for communities, places, and persons.

The State shall take effective measures to ensure that this right is protected and also to ensure that Native Hawaiians can understand and be understood in political, legal, and administrative proceedings in the Hawaiian language, where necessary, through the provision of interpretation or by other appropriate means.
(b) 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 language version shall be held binding. Hawaiian shall be required for public acts and transactions."

MAHELE 3. E ho'ololi 'ia ka Mahele 1-13.5 o na 'Ōlelo Kūpa'a Ho'oponopono Hou 'Ia o Hawai'i e heluhelu 'ia penei:

"§1-13.5 Hawaiian language; spelling. (a) [Maerens—and glettal steps—may] '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) ‘Okina are known in English as glottal stops and shall be represented as a left single quotation mark. Kahakō elongate 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 ʻāpono ‘ia.

(English Translation)

SECTION 1. At the Hawai‘i State Constitutional Convention in 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, establishing 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 this State."

The legislature further recognizes its contribution to the growing international movement for the protection of the rights of the world's indigenous peoples through passage of this Act.

In 2007, the United Nations adopted the United Nations Declaration on the Rights of Indigenous Peoples. In 2011, the
United States became signatory on the Declaration. In this Act, article thirteen of the United Nation's Declaration is codified into the Hawai'i Revised Statutes.

The purpose of this Act is to promote the use of the Hawaiian language and encourage the State of Hawai'i to put Hawaiian language on the same level as English as intended pursuant to section 1-13, Hawai'i Revised Statutes.

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

"§1-13 Official languages. (a) In recognition of the United Nations Declaration on the Rights of Indigenous Peoples, the legislature asserts that Native Hawaiians have the right to revitalize, use, develop, and transmit to future generations their histories, language, oral traditions, philosophies, writing systems, and literatures, and to designate and retain their own names for communities, places, and persons.

The State shall take effective measures to ensure that this right is protected and also to ensure that Native Hawaiians can understand and be understood in political, legal, and administrative proceedings in the Hawaiian language, where
necessary, through the provision of interpretation or by other appropriate means.

(b) 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 language version shall be held binding. Hawaiian shall 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. (a) [Maerens and gieottal steps may] ‘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) ‘Okina are known in English as glottal stops and shall be represented as a left single quotation mark. Kahakō elongate 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:  

[Signature]
Report Title:
Hawaiian Language; State Law; Public Documents

Description:
Inserts article thirteen of the United Nations Declaration on the Rights of Indigenous Peoples into the Hawaii Revised Statutes. 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.

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