

JAN 18 2019

A BILL FOR AN ACT

RELATING TO HAWAIIAN AS AN OFFICIAL LANGUAGE OF THE STATE OF
HAWAII.

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

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

9 Eia hou, ho'omaopopo ka 'Aha'ōlelo, ke ho'oikaika nei nā
10 aupuni o nā 'āina 'ē i nā pono o nā lāhui 'ōiwi ma 'ō a 'ō o ka
11 honua. I ka makahiki 2007, ua 'āpono 'ia ka Hō'ike no nā Pono o
12 nā Lāhui 'ōiwi e ka 'Aha Aupuni Hui Pū 'Ia. I ka makahiki 2011, ua
13 pūlima ka Pelekikena o 'Amelika Hui Pū 'Ia i ia Hō'ike. Ma kēia
14 pila, ho'opa'a 'ia ka mahele 13 o ia hō'ike ma nā 'ōlelo Kūpa'a
15 Ho'oponopono Hou 'ia o Hawai'i.



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

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

8 "§1-13 Official languages. (a) In recognition of the
9 United Nations Declaration on the Rights of Indigenous Peoples,
10 the legislature asserts that Native Hawaiians have the right to
11 revitalize, use, develop, and transmit to future generations
12 their histories, language, oral traditions, philosophies,
13 writing systems, and literatures, and to designate and retain
14 their own names for communities, places, and persons.

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



1 (b) English and Hawaiian are the official languages of
 2 Hawaii. Whenever there is found to exist any radical and
 3 irreconcilable difference between the English and Hawaiian
 4 version of any of the laws of the State, the English version
 5 shall be held binding[~~-~~]; provided that if the law in question
 6 was originally drafted in Hawaiian and the English version was
 7 translated based on the Hawaiian version, the Hawaiian language
 8 version shall be held binding. Hawaiian shall [~~not~~] be required
 9 for public acts and transactions."

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

12 "**§1-13.5 Hawaiian language; spelling.** (a) [~~Maerons and~~
 13 ~~glottal stops may~~] 'Okina and kahakō shall be used in the
 14 spelling of words or terms in the Hawaiian language, when
 15 appropriate, in documents prepared by or for state or county
 16 agencies or officials[~~-~~]; provided that any document submitted
 17 to state or county agencies or officials by members of the
 18 general public shall not require the use of 'okina and kahakō.
 19 Any rule, order, policy, or other act, official or otherwise,
 20 that prohibits or discourages the use of these symbols shall be
 21 void.



1 (b) 'Okina are known in English as glottal stops and shall
2 be represented as a left single quotation mark. Kahakō elongate
3 vowel sounds and shall be represented as a macron over a vowel."

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

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

7 (English Translation)

8 SECTION 1. At the Hawai'i State Constitutional Convention
9 in 1978, the committee on Hawaiian affairs proposed the
10 constitutional amendment that is now enshrined in article XV,
11 section 4, of the Hawai'i State Constitution, establishing
12 Hawaiian as an official language of the State of Hawai'i. The
13 committee felt it necessary to include this amendment in the
14 constitution "in order to give full recognition and honor to the
15 rich cultural inheritance that Hawaiians have given to all
16 ethnic groups of this State."

17 The legislature further recognizes its contribution to the
18 growing international movement for the protection of the rights
19 of the world's indigenous peoples through passage of this Act.
20 In 2007, the United Nations adopted the United Nations
21 Declaration on the Rights of Indigenous Peoples. In 2011, the



1 United States became signatory on the Declaration. In this Act,
2 article thirteen of the United Nation's Declaration is codified
3 into the Hawai'i Revised Statutes.

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

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

10 "**§1-13 Official languages.** (a) In recognition of the
11 United Nations Declaration on the Rights of Indigenous Peoples,
12 the legislature asserts that Native Hawaiians have the right to
13 revitalize, use, develop, and transmit to future generations
14 their histories, language, oral traditions, philosophies,
15 writing systems, and literatures, and to designate and retain
16 their own names for communities, places, and persons.

17 The State shall take effective measures to ensure that this
18 right is protected and also to ensure that Native Hawaiians can
19 understand and be understood in political, legal, and
20 administrative proceedings in the Hawaiian language, where



1 necessary, through the provision of interpretation or by other
2 appropriate means.

3 **(b)** English and Hawaiian are the official languages of
4 Hawaii. Whenever there is found to exist any radical and
5 irreconcilable difference between the English and Hawaiian
6 version of any of the laws of the State, the English version
7 shall be held binding[-]; provided that if the law in question
8 was originally drafted in Hawaiian and the English version was
9 translated based on the Hawaiian version, the Hawaiian language
10 version shall be held binding. Hawaiian shall [not] be required
11 for public acts and transactions."

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

14 "**§1-13.5 Hawaiian language; spelling.** (a) [~~Macrons and~~
15 ~~glottal stops may~~] 'Okina and kahakō shall be used in the
16 spelling of words or terms in the Hawaiian language, when
17 appropriate, in documents prepared by or for state or county
18 agencies or officials[-]; provided that any document submitted
19 to state or county agencies or officials by members of the
20 general public shall not require the use of 'okina and kahakō.
21 Any rule, order, policy, or other act, official or otherwise,



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1 that prohibits or discourages the use of these symbols shall be
2 void.

3 (b) 'Okina are known in English as glottal stops and shall
4 be represented as a left single quotation mark. Kahakō elongate
5 vowel sounds and shall be represented as a macron over a vowel."

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

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

9

INTRODUCED BY: Karl Rhoads



S.B. NO. 642

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.

