

LATE TESTIMONY

TESTIMONY OF
THE STATE FOUNDATION ON CULTURE AND THE ARTS
TO THE
HOUSE COMMITTEE ON CULTURE AND THE ARTS
ON
March 28, 2011

H.R. 222 / H.C.R.259

Chair Wooley and members of the committee, I am Ronald Yamakawa, executive director of the State Foundation on Culture and the Arts. Thank you for the opportunity to testify before you today on H.R. 222 / H.C.R. 259. The SFCA supports having a symphonic orchestra in Honolulu and the positive influence such an orchestra provides in enriching the quality of life for generations of people in the state. We recommend that the following adjustments be made to the resolution;

- (1) Adding a representative to the task force from the existing exploratory committee organized by Oz Stender that has launched a planning effort for a sustainable symphony by acquiring the assets of the Honolulu Symphony Society;
- (2) Adding a representative to the task force from the Honolulu Symphony Foundation, which is responsible for the investment portfolio of the Honolulu Symphony Society and the State of Hawaii Endowment Fund.

Thank you for the opportunity to testify before you on this matter.

CUAtestimony

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 27, 2011 10:12 PM
To: CUAtestimony
Cc: frogfinder4@yahoo.com
Subject: Testimony for HCR259 on 3/28/2011 11:00:00 AM
Attachments: Testimony of Steve Flanter on behalf of the Honolulu Symphony Musicians to the House Committee on Culture and the Arts on House Resolution 222 and House Concurrent Resolution 259.doc

LATE TESTIMONY

Testimony for CUA 3/28/2011 11:00:00 AM HCR259

Conference room: 329
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Steve Flanter
Organization: Honolulu Symphony Musicians
Address:
Phone:
E-mail: frogfinder4@yahoo.com
Submitted on: 3/27/2011

Comments:

March 27, 2011

Testimony of Steve Flanter on behalf of the Honolulu Symphony Musicians to the House Committee on Culture and the Arts on House Resolution 222 and House Concurrent Resolution 259

Chair Wooley, Vice-Chair Au Belatti, and members of the Committee:

The Honolulu Symphony Musicians ask that these resolutions be modified.

The new Symphony Exploratory Committee (SEC), led by Oswald Stender, has stepped forward to decisively deal with the issue of creating a new professional symphony in Hawaii. They have taken a serious and methodical approach to the task, beginning with the assembly of an impressive team. They have enlisted Steven Monder, the former long-time Executive Director of the Cincinnati Symphony Orchestra, to serve as advisor and to help write a business plan. JoAnn Falletta, Music Director of both the Virginia Symphony and Buffalo Philharmonic, is in charge of the artistic planning. On March 17, 2011, the SEC purchased the music library, musical instruments, and historical documents of the dissolved Honolulu Symphony Society. Their success in entering the winning bid in the auction of these critical assets demonstrates the seriousness and commitment that the SEC members have demonstrated in their goal of the creation of a new professional orchestra in Hawaii.

The advent of the Symphony Exploratory Committee has made it unnecessary to convene a task force to explore the creation of a symphony. We are concerned that the creation of a task force might duplicate or redirect effort, which has been well focused by the SEC. We think that it might also cause confusion, even as many are coming to realize and appreciate that the SEC is on its way towards making a new professional orchestra a reality in Hawaii. We wouldn't want any such confusion to get in the way of the SEC's work.

We would like to see the resolution modified so that the task force is not created. Instead, the Honolulu Symphony Musicians respectfully ask that the resolution be changed to simply show the legislature's support for the excellent work and goals of the Symphony Exploratory Committee.

LATE TESTIMONY

March 27, 2011

Jessica Wooley, Chair
Della Au Belatti, Vice-Chair
Culture and Arts Committee

RE: HCR 259 and HR222 -- REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO CONVENE A TASK FORCE TO EXPLORE THE CREATION OF A NEW, SUSTAINABLE SYMPHONY IN THE WAKE OF THE LIQUIDATION OF THE HONOLULU SYMPHONY.

Dear Representatives Wooley, Belatti and members of the Culture and Arts Committee,

I'm writing in opposition to HCR259 and HR222. As a musician of the former Honolulu Symphony and an elected representative of the Honolulu Symphony Musicians, I have spent hundreds of hours since November 2009 working to ensure that Hawaii has a fully professional symphony orchestra despite the bankruptcy and liquidation of the Honolulu Symphony. During that time I have spoken with several parties who have expressed an interest in building a new orchestra. Of those parties only one group has taken significant and substantive steps toward that goal. The Symphony Exploratory Committee, announced recently by Governor Abercrombie, has already performed the work this resolution proposes to be done, in addition to acquiring the necessary assets, engaging a professional orchestra manager and artistic director, and meeting with the symphony musicians to communicate their intent to create a new and sustainable professional orchestra. The creation of a task force by the State Foundation on Culture and the Arts would not only duplicate the work already accomplished by this group of community leaders over the past several months, but would require them to divert their attention at a critical time.

While I appreciate the intent of this resolution, I respectfully ask that the Committee on Culture and Arts take no further action at this time and allow the Symphony Exploratory Committee to continue their work on behalf of the entire community.

Jonathan Parrish
Vice Chair
Honolulu Symphony Musicians Committee

CUAtestimony

From: Rita Whitford [rrrita@hawaii.rr.com]
Sent: Sunday, March 27, 2011 4:44 PM
To: CUAtestimony; carroll1 - Leilani
Subject: Testimony, HCR 226, HR 197; HCR 259, HR 222
Attachments: Community Group Name.docx; 71400, Heiaus and Heiaus Sites 001.jpg; Ruling Chiefs 001.jpg

Aloha - I am attaching testimony regarding the above subject bills.

LATE TESTIMONY

Name: Larry Whitford, Founder of Kupuna Council of Upper Waiehu, Maui
Committee directed to: Committee on Culture and the Arts
Date of hearing: March 28, 2011, 11:00 a.m.
Measure number: HCR 226, HR 197 and HCR 259, HR 222

If you have any questions, please contact me at 808-244-7258 or by email.

Mahalo,

Larry Whitford
995 Malaihi Road
Wailuku, Hi. 96793

Community Group Name – Kupuna Council of Upper Waiehu

My name is Larry Whitford of Malaihi Road, Waiehu, district of Wailuku, Maui. My wife and I reside on agricultural kuleana land with kuleana exemption filed with the county of Maui Real Property Tax Division. My Kupunas received this land from the Konohiki Keinohookama in 1817 to my great, great grandfather Kailiula during the time of Kamemehameha II.

This council recognized the importance of involvement regarding matters pertaining to the development to the mountains of Upper Waiehu, especially the Ahuapuaa of Wailuku, Waiehu, Ahikuli, Hananui, Kou and Waihee within the mountain range of Nawaieha.

Kupuna Council consists of the elders of Upper Waiehu who are descendants of the original land owners from the time of the Great Mahele and prior.

We apply ourselves to the beginning of time as Kupuna meaning ancestors, grandparents, also the source, the starting point and growing. My Kupuna told me in the days of my youth, that in order to know your future, you need to know your past as we now live in the present. With the same thought process using the universal concept, similar to our Mo'ō Kupuna (genealogy), we join the lineage of Kupunas as we align ourselves to the source, our Creator. The one we kahea (to call) to each day to give thanks and ask for blessings as we honor our kupuna with respect.

The mountain range of Nawaieha from Wailuku Ahupuaa to Waihee Ahuapuaa, consists of Heiaus, Ahus and many different types of cultural significance. These Heiaus were simple earth terraces on open ground with stone markings depictive to their purpose and authority in management.

Malumaluakua Heiau consists in part of the surface, alignment stones, cap stones, altar offering on high shelf were seen. This shelf measures on 8" in length x 2" deep about 4' off the ground, sculpt in a precipitous smooth face rock against the mountain, standing approximately 20' in height. On the top of this "chief rock" sits 2 round stones about 4' to 5' apart. Activity in these areas became highly active during the vernal equinox and autumnal equinox when nature became balanced and this was the time our Kupunas celebrated the completion to the creation of heaven and earth. At sunrise our Kupunas sounded the confirmation by sending a resonant frequently wave along the seven directional points around this plant earth and linking to the earth's magnetism to complete the circuit.

Malumaluakua rests with the Wailuku Ahupuaa (see attachments). Ahikuli Ahupuaa is directly north of Malumaluakua mountain and does have Ahu's along with Polipoli Ahupuaa, Hananui and Kou Ahupuaa comes together on the upper ridges. These last two Ahupuaas consists of lookout post, dwellings, pohaku alignment consistent to boundary alignment. Some with depression on the top side with darken stain, an indicator used as an oil base flame stone to mark the alignment to the very large Heiau located at Mauna Alani. Evidence of Heiau was clearly visible through the entire area including valleys and streams. No walls of stones were erected to indicate a place on conformist construction.

Dirt bikes riders have damaged the mountain ridges and slopes with ruts and deep grooves causing erosion from fast moving rain water. Headlights were seen heading down the slope (returning) near the very top of Hananui ridge after 8:00 p.m. Many occasions have seen dust clouds rising from a lower elevation from the side of a slope. This dust cloud was caused by a dirt bike rider making a trail of his own causing serious damage to the natural landscape. From Malumaluakua Mountain to Kou, the natural trails were desecrated by the constant use of dirt bikes on a consistent basis. Attempts were made with law enforcement with Maui Police Dept, Wailuku Patrol Division and members of the State Dept. of Land and Natural Resources for assistance to educate the bikers of their riding habits with negative results. Letter was written to David Singer, landlord of Ahikuli Ahupuaa to no avail.

We, the Kupuna Council of Upper Waiehu, oppose such measure for any approval for development on the mountain slopes or any type of recreational activity. Furthermore, we protest any and all development in all of the Ahupuaas, namely:

1. Wailuku Ahupuaa, the Malumalu Mountain ridge, mainly the Heiau called Malumaluakua, situated in this mountain ridge.
2. Waiehu Ahupuaa
3. Ahikuli Ahupuaa – Ahu's stone altar, used for religious assembly
4. Polipoli Ahupuaa – Heiau, grave sites clearly marked with the name ALAU, family of Maggie Hoopii.
5. Hananui Ahupuaa with Kou Ahupuaa (numerous Ahu's boundary alignment pohakus, huge Heiau at the top side of ridge). Trail comes directly to "check-point" area. Large boulder on left about 15 Kauna's (60 feet) on the southerly direction is the chief guard station. Also a passage way (below the surface) to the Heiau about 10 minute walk to the westerly direction to Mauna Alani (spiritual mountain).

This location on the higher slopes of the mountain is a sacred place and has always been for hundreds of years and we, the Kupuna Council, knowing this to be true as I myself have walked the trail and grounds. My Kupunas informed me of this site along with the important aspect relating to the universal concept of Nawaieha Mountain Ridge.

Hananui Ahupuaa including Kou Ahupuaa, Ahikuli Ahupuaa along with PoliPoli Ahupuaa and Malumaluakua Ahupuaa, mountain slopes, valleys, ridges, trails, forest, water source, streams, ditches, boulders, rocks, stones, native plants/soil must not be altered from its present position. No earth moving machinery or even by man must refrain from changing the present landscape.

The present area from Malumaluakua mountain to Kou mountain needs to be preserved by a governmental agency to prevent future request by private investors for self gain.

Our Kupunas did not create passage ways beneath the surface and place rocks weighing tons for their purpose overnight.

Disposition:

1. We the decendants of the ancient Kupunas stand firm to our Kupuna Rights of ancestral lands which was set aside to be undisturbed for religious purposes to gain position on a higher level of the highest order in the life hereafter.
2. Let these areas of Nawaieha be in preservation status by a governmental agency forever.

Attachments:

1. #71400, Heiaus and Heiaus Sites
2. Ruling Chiefs of Hawaii page #188

Larry Whitford, Founder

Kupuna Council, Upper Waiehu, Maui

CUAtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 27, 2011 11:11 PM
To: CUAtestimony
Cc: jamesfmoffitt@gmail.com
Subject: Testimony for HCR259 on 3/28/2011 11:00:00 AM

LATE TESTIMONY

Testimony for CUA 3/28/2011 11:00:00 AM HCR259

Conference room: 329
Testifier position: oppose
Testifier will be present: No
Submitted by: James Moffitt
Organization: Individual
Address:
Phone:
E-mail: jamesfmoffitt@gmail.com
Submitted on: 3/27/2011

Comments:

The Symphony Exploratory Committee is being lead by Oswald Stender, Vicky Cayetano and Paul Kosasa. These people are true leaders of our Community and represent a level of leadership for a professional orchestra in Hawaii that has not been seen in many years. The SEC was not appointed by anyone. They came together out of their belief that a professional orchestra could exist and thrive in Hawaii. The SEC has purchased the assets of the former Honolulu Symphony for \$231,000, have hired an orchestra manager, Steve Monder who has over 40 years experinece sucessfully managing orchestras and are working with an experineced Artistic Adviser, JoAnn Falletta, Music Director of the Buffalo Philharmonic and Virginia Symphony, as well as former Acting Music Director of the Honolulu Symphony. No other group claiming to try and restart an orchestra has done anything close or shown anything close to this level of commitment.

Creating a new Task Force is not a good idea. It will confuse the public and require the SEC to spend time needed to be spent on restarting an orchestra on a duplicate, unnecessary effort.

Thank you,

James Moffitt

CUAtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 28, 2011 1:11 AM
To: CUAtestimony
Cc: schwang1@hawaii.rr.com
Subject: Testimony for HCR259 on 3/28/2011 11:00:00 AM
Attachments: HCR 259 HR 222 03-28-11 CUA.pdf

LATE TESTIMONY

Testimony for CUA 3/28/2011 11:00:00 AM HCR259

Conference room: 329
Testifier position: comments only
Testifier will be present: No
Submitted by: Paul J. Schwind
Organization: Individual
Address:
Phone:
E-mail: schwang1@hawaii.rr.com
Submitted on: 3/28/2011

Comments:

LATE TESTIMONY

PAUL J. SCHWIND
2033 Nuuanu Avenue, Apt. 22-B
Honolulu, Hawaii 96817
schwang1@hawaii.rr.com

March 28, 2011

The Honorable Jessica Wooley, Chair, and Members
Committee on Culture and the Arts
The House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 327
Honolulu, Hawaii 96813

BY E-MAIL: repwooley@capitol.hawaii.gov

Dear Chair Wooley and Members:

**Re: House Concurrent Resolution No. 259 / House Resolution No. 222
Requesting the State Foundation on Culture and the Arts to Convene a Task Force to
Explore the Creation of a New, Sustainable Symphony in the Wake of the Liquidation of the
Honolulu Symphony**

I am a long-time (35 years) subscriber and donor to the Honolulu Symphony. I am commenting on HCR 259 and HR 222, the purpose of which, beyond that stated in the title of the resolutions, is to have a task force recommend a plan for a sustainable symphony that serves the community and provides all Hawaii students with exposure to symphony performances.

The intent of these resolutions, while commendable, can best be accomplished *not* by forming another task force which could take almost a year to report its recommendations. Instead, the resolutions should support the efforts of the Symphony Exploratory Committee ("SEC") which has, on its own initiative, already raised sufficient funds to bid successfully for the assets of the bankrupt Honolulu Symphony Society. Confirmation of this transaction is expected in Federal Bankruptcy Court later this week (on March 30). The SEC is then expected to move forward with preparation of a business plan for the re-establishment of a resident professional orchestra in Hawaii.

The State Foundation on Culture and the Arts could be most useful in this process by working with the SEC to make available, for the production of music by a new Oahu-based symphony orchestra, the income and capital gains from prior State appropriations to the "State of Hawaii Endowment Fund" under HRS § 40-88.

Accordingly, I urge your Committee to redraft the title and body of HCR 259 and HR 222 to request the State Foundation on Culture and the Arts to support the efforts of the Symphony Exploratory Committee to re-establish a resident professional symphony orchestra, based on Oahu, for the benefit of the entire State of Hawaii.

Thank you for the opportunity to express my views on this matter.

CUAtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 28, 2011 8:33 AM
To: CUAtestimony
Cc: rsml74@yahoo.com
Subject: Testimony for HCR259 on 3/28/2011 11:00:00 AM

LATE TESTIMONY

Testimony for CUA 3/28/2011 11:00:00 AM HCR259

Conference room: 329
Testifier position: oppose
Testifier will be present: No
Submitted by: Robert Sandla
Organization: Individual
Address:
Phone:
E-mail: rsml74@yahoo.com
Submitted on: 3/28/2011

Comments:

I am a former executive Director of the Honolulu Symphony with a continuing interest in its revival. As you know a Symphony Exploratory Committee, made up of prominent civic minded citizens, has been formed, and is very active. It has purchased, at auction, without government funding assistance, selected HSO assets and its work is continuing to include advice to be given by two well known artistic and business professionals in the field. The proposed resolution is well intended but at this stage is unnecessary and not timely. However, to indicate legislative interest the resolution should be amended to simply request a report from time to time from the SEC.

CUAtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 27, 2011 11:13 PM
To: CUAtestimony
Cc: info@normzart.com
Subject: Testimony for HCR259 on 3/28/2011 11:00:00 AM
Attachments: HCR259Testimony_SEC.doc

LATE TESTIMONY

Testimony for CUA 3/28/2011 11:00:00 AM HCR259

Conference room: 329
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Norman F. Foster
Organization: Individual
Address:
Phone:
E-mail: info@normzart.com
Submitted on: 3/27/2011

Comments:
Thank you for including my testimony.

Dear Members of the Culture and Arts Committee,

March 27, 2011

I strongly oppose H.R. 222 and H.C.R. 259 which have been recently introduced "to convene a task force to explore a new, sustainable symphony in the wake of the liquidation of the Honolulu Symphony."

I respect the intent of these resolutions but in light of recent events I see no need for such a task force which could interfere with or delay the restoration of the symphony.

I am very familiar with the Symphony Exploratory Committee (SEC), a group of respected business and community leaders who are making the necessary decisions and actions to create a new, sustainable symphony for Hawaii. This group is functioning already as a task force.

Following the announcement by the Governor of their formation and their goals, the SEC immediately moved forward with plans to buy the assets of the former Honolulu Symphony. In fact, I was present at the Chapter 7 liquidation auction of the Honolulu Symphony assets and witnessed the dramatic purchase by the SEC of the entire lot. The SEC now owns the complete and irreplaceable music library of the former Honolulu Symphony as well as valuable instruments, priceless historical archives and all of the basics necessary for restarting a successful professional symphony orchestra.

In addition to purchasing these assets, the SEC has already announced its intent to develop a business plan that will create a new symphony to serve the State of Hawaii. They have hired an experienced orchestra manager who is respected throughout the symphony orchestra industry to help them prepare a viable business plan. Also, they will soon be enlisting the support of an artistic director to plan the first season. These are concrete actions indicating an impressive level of seriousness.

The members of this existing task force personally invested \$231,000 in their bid for the assets of the former Honolulu Symphony. A U.S. Bankruptcy Court judge is expected to finalize the purchase this Wednesday, March 30. This is the first major step in creating a new symphony.

It is imperative that this existing task force be given the community's full support, including the legislature. The SEC already has the support of Governor Abercrombie. Creating another task force would not only be redundant, but would also divide the community. Unlike the board and management of the now defunct Honolulu Symphony Society, the Symphony Exploratory Committee has already successfully reached out to a broad cross-section of the community, including the musicians of the former Honolulu Symphony, who support the efforts of this group.

LATE TESTIMONY

While the resolution proposes the task force report back to the Legislature 20 days prior to the opening of the next session, the Symphony Exploratory Committee is moving forward in a much more expeditious manner. A new symphony season may begin as early as fall, 2011. The community has not had the benefit of a professional resident orchestra since October, 2009, because the Honolulu Symphony Society cancelled concerts and then voted to file for Chapter 11 bankruptcy. It is critical that all available resources and support be given to the Symphony Exploratory Committee.

Thank you very much for your consideration.

Sincerely,
Norm Foster

Ladies and Gentlemen:

I am writing to express my opposition to H.R. No 222 and H.C.R. No 259.

A Symphony Exploratory Committee is already in place. These hard-working community and business leaders who have stepped forward since the Honolulu Symphony Society went into Chapter 11 bankruptcy have pooled their own hard-earned funds of over \$200,000 to purchase the assets of the former Honolulu Symphony, and have hired an orchestra manager with extraordinary experience with whom they are already at work developing a plan to revive a resident professional symphony orchestra. Nationally known symphony conductor Jo Ann Falletta, whom The New York Times calls "the finest conductor of her generation," and with whom Honolulu audiences are very familiar from her appearances here to conduct the former Honolulu Symphony, is lending her support. It would be extremely counterproductive to upend the considerable efforts of this exploratory committee with the passage of these bills.

The Symphony Exploratory committee has already reached out to a broad cross-section of the community. They have been on the radio to tell people what they are doing and invite participation. They have received an extremely positive welcome. We need to give them our full support. The passage of this bill would create a divisive situation in our community. Further, the Symphony Exploratory Committee's plan will be in place and its implementation underway sooner than these bills require a report. With the group already underway, we could have a season starting as early as fall 2011. Please do not cripple these efforts that are already underway and have broad community support with the passage of these bills.

Therefore I ask that these bills be put aside and that the exploratory committee already at work be given the opportunity to proceed unimpeded to revive a resident professional symphony orchestra for Honolulu.

Thank you for your concern for the future of symphonic music for all the citizens of Hawaii.

Susan E.K. Lampe
706 Ahuwale Street
Honolulu, Hawaii 96812
808-373-3473
lampes@hawaii.rr.com

CUAtestimony

From: Susan Lampe [lampes@hawaii.rr.com]
Sent: Monday, March 28, 2011 9:25 AM
To: Mailing List; CUAtestimony
Subject: Re: Testimony for HCR259 on 3/28/2011 11:00:00 AM

LATE TESTIMONY

I mistyped my zip code in my testimony. It is 96821, not 96812. Thank you.

On Mar 28, 2011, at 8:56 AM, mailinglist@capitol.hawaii.gov wrote:

> Testimony for CUA 3/28/2011 11:00:00 AM HCR259
>
> Conference room: 329
> Testifier position: oppose
> Testifier will be present: No
> Submitted by: Susan E.K. Lampe
> Organization: Individual
> Address:
> Phone:
> E-mail: lampes@hawaii.rr.com
> Submitted on: 3/28/2011
>
> Comments:
> Please submit this testimony for the hearing on 3/28/2011 at 11:00 am in room 329. Thank you.<HR 222 HCR 259testimony.doc>

CUAtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 28, 2011 9:04 AM
To: CUAtestimony
Cc: huffdown@hawaiiantel.net
Subject: Testimony for HCR259 on 3/28/2011 11:00:00 AM

LATE TESTIMONY

Testimony for CUA 3/28/2011 11:00:00 AM HCR259

Conference room: 329
Testifier position: oppose
Testifier will be present: No
Submitted by: Barbara Downs
Organization: Individual
Address:
Phone:
E-mail: huffdown@hawaiiantel.net
Submitted on: 3/28/2011

Comments:

belatti2 - Jonalyn

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 28, 2011 10:19 AM
To: CUAtestimony
Cc: maizie@hawaii.rr.com
Subject: Testimony for HCR259 on 3/28/2011 11:00:00 AM

LATE TESTIMONY

Testimony for CUA 3/28/2011 11:00:00 AM HCR259

Conference room: 329
Testifier position: oppose
Testifier will be present: No
Submitted by: Mary C. Sanford
Organization: Individual
Address:
Phone:
E-mail: maizie@hawaii.rr.com
Submitted on: 3/28/2011

Comments:

I oppose HRC259 and HC 222 because the Symphony Exploratory Committee is already in place and well along with plans to bring back our Honolulu Symphony, making the Legislative bills redundant.