

clee1 - Lina

From: Annelle Amaral [acamaral@yahoo.com]
Sent: Tuesday, February 07, 2012 4:58 PM
To: HAWtestimony
Subject: Testimony in Support of HB 1745
Attachments: Testimony HB 1745 2 8 12.doc

LATE TESTIMONY

Aloha, I am Annelle Amaral, member of Ahahui Siwila Hawaii O Kapolei, submitting testimony to the Joint House Committees on Hawaiian Affairs and Health, for a hearing on Feb. 8th at 10:30am in rm. 329. My testimony in support is attached. Can you please make copies for the committees meeting tomorrow? If this is not possible, can you respond to this email or call me at: 753-1895 to notify me and I shall make the copies for the hearing that I will be attending. Mahalo, Annelle

January 8, 2012

LATE TESTIMONY

To: Representative Faye Hanohano, Chair, House Hawaiian Affairs Committee and Representative Ryan Yamane, Chair, House Health Committee and Members of the Joint Committees on Hawaiian Affairs and Health.

From: Annelle Amaral, Member, 'Ahahui Siwila Hawai'i O Kapolei

Re: Testimony in Support of HB 1745 Relating to Native Hawaiians

Aloha and mahalo for allowing me to testify in support of HB 1745 Relating to Native Hawaiians. I am a Founding member of 'Ahahui Siwila Hawai'i O Kapolei, also known as, the Kapolei Hawaiian Civic Club. Our club was chartered in 1993 by the Association of Hawaiian Civic Clubs. We stand in proud witness to the ancient tradition and history of our area, protecting our historic site, telling the mo'olelo of the ancient places and people, and protect and preserve the maoli flora and fauna of the area. We are advocates of our place and our peoples.

Our 'ahahui strongly supports HB 1745 which we introduced in the last Convention of the Association and which was approved in committee and by the entire convention by unanimous vote.

This bill seeks to waive the fees for certificates housed at the State Department of Health when these certificates are used to verify that an individual is a "qualified Native Hawaiian" as defined by Act 195, Session Laws of Hawai'i 2011.

As you know, Act 195, which recognized Native Hawaiians as the only indigenous, aboriginal, maoli people of Hawai'i created a two part definition of a "qualified Native Hawaiian". The Act provides that the individual demonstrate that they are a descendant of the aboriginal people prior to 1778, or a descendant of one who was eligible in 1921 for programs of Hawaiian Homes. The second definition requires certified certificates from the Department of Health.

In my case, my mother is 75% Hawaiian. So it would seem that I could simply produce her birth certificate and mine, spending a total of \$20 to prove that I am a "qualified Hawaiian". However, when you examine my mother's birth certificate, it says that she is "part-Hawaiian". Which is a classification that was common in her day, but not helpful to verify.

In order to prove that my mother, Virginia Kanohokula Kipili'i was 75% Hawaiian, I must also have a copy of her parent's birth certificates. My grandfather, Eddie Kipili'i was pure Hawaiian. My grandmother Mary Warren was half Hawaiian and half English. Upon reading these two birth certificates, we now know that my mother was 75% Hawaiian and upon reading my birth certificate, that I am her descendant. Hence qualified.

Now, the cost of verifying that I am a "qualified Hawaiian" has grown to \$40.

I have one brother and three sisters. For each of us to register in the Native Hawaiian Roll, we will pay a total of \$200.

LATE TESTIMONY

I have 30 first cousins, children of my mother's brothers and sisters. If they want to verify as I have outlined, our Kipili'i ohana will have paid a total of \$1400 to register 35 people.

By the way, if my son wants to participate, he must produce 5 certified documents. My granddaughter must produce 6 certified documents....as well as all of the children of the Kipili'i Ohana.

Let me put this another way.

The Native Hawaii Roll is a verifiable list of maoli peoples who will participate in the election of a Native Constitutional Congress of delegates to draft organic documents for a Nation that meets State and Federal standards for recognition.

So, for the privilege of participating in an "election" we must pay at least \$40 each to verify that we are "qualified Hawaiians".

As elected officials yourselves, you know how difficult it is to get your constituents to register to vote. Can you imagine how much harder it would be if they had to pay for the privilege of registering?

We support the State's recognition of Native Hawaiians as the indigenous, maoli people of Hawai'i. We support also, the implementation of Act 195. We ask, however, your assistance in removing the obstacle of having to pay for documents we need to verify our compliance with the law.

The waiver of fees for these certificates is not without precedent. In fact, the law already waives fees for birth, marriage, and death certificates of family members of veterans who need these documents to access their benefits.

If the Native Hawaiian Roll Commission is able to negotiate a memorandum of understanding with the Department of Health to access these documents electronically for the majority of applicants to the roll, this provision would cover the minority who walk into the Department of Health. If an MOU cannot be secured, then this bill will address what we believe is a huge obstacle to enrolling our community.

We ask for your support and passage of HB 1745 and I remain available to answer any questions that you may have of me. Mahalo.

clee1 - Lina

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 07, 2012 5:33 PM
To: HAWtestimony
Cc: lorrin.kim@doh.hawaii.gov
Subject: Testimony for HB1745 on 2/8/2012 10:30:00 AM
Attachments: HB1745_HTH_02-08-12_HAW-HLT.pdf

LATE TESTIMONY

Testimony for HAW/HLT 2/8/2012 10:30:00 AM HB1745

Conference room: 329
Testifier position: Oppose
Testifier will be present: No
Submitted by: Lorrin Kim
Organization: DOH
E-mail: lorrin.kim@doh.hawaii.gov
Submitted on: 2/7/2012

Comments:

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

LATE TESTIMONY

HOUSE COMMITTEE ON HAWAIIAN AFFAIRS

HOUSE COMMITTEE ON HEALTH

HB 1745, Relating to Native Hawaiians

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

February 8, 2012

- 1 **Department's Position:** The Department of Health respectfully opposes HB 1745.
- 2 **Fiscal Implications:** The Department of Health relies on certified copy fees for birth, marriage, divorce
- 3 and death records to fund the operation of the statewide vital statistics system. Spouse and child abuse
- 4 and domestic violence and sexual abuse programs in the Judiciary, Department of Human Services, and
- 5 the Department of Health also receive funds from the certified copy fees.
- 6 **Purpose and Justification:** HB 1745 proposes to waive the fees for certified copies of birth, marriage,
- 7 divorce and death certificates when the certificates are required to prove that an individual is a qualified
- 8 Native Hawaiian. The Department of Health relies on certified copy fees to operate the statewide vital
- 9 statistics registration and issuance system. Certified copy fees are deposited in the vital statistics special
- 10 improvement fund which pays all the operating cost for the Vital Statistics Office. Previous budget
- 11 reductions eliminated general funds for operations. The certified copy fee also assist in funding spouse
- 12 and child abuse and domestic violence and sexual abuse programs in the Judiciary, Department of
- 13 Human Services and the Health Department.

1 The 2010 U.S. Census of Population indicated that Native Hawaiians accounted for 10% of the state
2 population. The department collects about \$1.6 million in certified copy fees annually so losing 10% of
3 the client base would have serious negative impacts to the budget and operations that would ripple
4 across all residents for birth, marriage, divorce and death certificates.

5

6 We appreciate the opportunity to testify and strongly urge you to hold HB1745.

cleel1 - Lina

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 07, 2012 7:15 PM
To: HAWtestimony
Cc: deborahn@oha.org
Subject: Testimony for HB1745 on 2/8/2012 10:30:00 AM
Attachments: HB1745 OHA Testimony.docx

LATE TESTIMONY

Testimony for HAW/HLT 2/8/2012 10:30:00 AM HB1745

Conference room: 329
Testifier position: Support
Testifier will be present: Yes
Submitted by: Office of Hawaiian Affairs
Organization: Office of Hawaiian Affairs
E-mail: deborahn@oha.org
Submitted on: 2/7/2012

Comments:



LATE TESTIMONY

HB1745
RELATING TO NATIVE HAWAIIANS
House Committee on Hawaiian Affairs
House Committee on Health

February 8, 2012

10:30 a.m.

Room 329

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB1745, which would waive the fees for certified copies of birth, marriage, divorce, or death certificates when the certificates are required to prove that an individual is a qualified Native Hawaiian for purposes of the Native Hawaiian roll.

As Governor Abercrombie noted when he signed into law Act 195—the measure that recognized Native Hawaiians as the indigenous people of Hawai'i and created the Native Hawaiian Roll Commission—the Roll Commission's work "is an important step for the future of Native Hawaiian self-determination and the ability for Native Hawaiians to decide their own future." As Governor Abercrombie further observed, the members of the roll assembled by the Commission will help to "determine the course of Hawai'i's indigenous people."

Given the significance of the Native Hawaiian roll, it is imperative that known impediments to enrollment be eliminated, to ensure that the maximum number of Native Hawaiians have the opportunity to enroll and participate in the momentous process of reconstituting a Native Hawaiian government.

One major impediment to enrollment that can and should be eliminated is the financial burden faced by prospective enrollees who need to obtain certified copies of birth, marriage, divorce, or death certificates to demonstrate their eligibility to be listed on the roll. HB1745 would eliminate that impediment by waiving the fees associated with obtaining necessary enrollment documents. HB1745's proposed waiver is particularly critical, given that a measure pending in this legislative session seeks to raise the fees associated with obtaining these documents.

The civic right of prospective enrollees to participate in Native Hawaiian governmental processes should not be limited by financial issues. Therefore, OHA urges the committee to PASS HB1745. Mahalo for the opportunity to testify on this important measure.