

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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In reply, please refer to:  
File:

## HOUSE COMMITTEE ON HEALTH

### HB 0251, HD1 Relating to Native Hawaiians

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

Director of Health

February 13, 2013

1 **Department's Position:** The Department of Health respectfully opposes HB 0251.

2 **Fiscal Implications:** The Department of Health estimates a loss of \$160,000 in revenues and may have  
3 to raise our fees for certified copies to offset this loss in revenue. The Department of Health relies on  
4 certified copy fees for births, marriages, divorces and death records to fund the operation of the  
5 statewide vital statistics system. Spouse and child abuse and domestic violence and sexual abuse  
6 programs in the Judiciary, Department of Human Services and the Department of Health also receive  
7 funds from the certified copy fees.

8 **Purpose and Justification:** The current fee for certified copies is \$10.00. HB 0251 proposes to  
9 establish a \$1.00 fee for certified copies of birth, marriage, divorce and death certificates when the  
10 certificates are required to prove that an individual is a qualified Native Hawaiian. The Department of  
11 Health relies on certified copy fees to operate the statewide vital statistics registration and issuance  
12 system. Certified copy fees are deposited in the vital statistics special improvement fund which pays all  
13 the operating cost for vital statistics office. Previous budget reductions eliminated general funds for  
14 operations. The certified copy fee also assist in funding spouse and child abuse and domestic violence  
15 and sexual abuse programs in the Judiciary, Department of Human Services and the Health Department.

1 The 2010 U.S. Census of Population indicated that Native Hawaiians accounted for 10 percent of the  
2 population. The department collects about \$1.6 million in certified copy fees. We estimate from these  
3 figures that we would lose \$160,000 in revenue that we must have to operate our statewide vital  
4 statistics system. All residents of Hawaii will be negatively impacted if the proposed \$1.00 fee is  
5 established because the department will not have sufficient funds to register and issue birth, marriage,  
6 divorce and death certificates.

7

8 We appreciate the opportunity to testify and strongly urge you to hold HB 0251.

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Unity, Equality, Aloha for All

To: OMH, HLT, FIN  
From: Kenneth R. Conklin, Ph.D.  
Re: HB251  
Date: January 29, 2013

#### TESTIMONY IN OPPOSITION

I begin by asserting a fundamental principle which should be applied to determine the fees charged by government agencies for birth certificates etc.:

Government should treat all people equally regardless of race.

I also note that the cost to the government for providing a certified copy of a birth, marriage, divorce, or death certificate to someone is probably the same regardless of the purpose for which the customer is requesting the certificate. It doesn't matter whether the certificate will be used when applying for a driver license, a state ID card, a transfer of title to a house, or the Native Hawaiian Roll. What would you accept as proof that the alleged purpose is the actual purpose? Would you grant the fee waiver only to certificates that say "Native Hawaiian"? That would clearly be contrary to the 14th Amendment.

Whatever fee is set should be the same for all customers, and should be the same regardless of the purpose which a customer claims it will be used for.

If the customer is a pauper, or can prove he is receiving welfare assistance, then a waiver of the fee might be granted; but only if the waiver is given to all such customers without regard to race and without regard to the purpose for which the certificate will be used.

**morikawa2 - Shaun**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 7:16 PM  
**To:** HLTtestimony  
**Cc:** jeannine@hawaii.rr.com  
**Subject:** \*Submitted testimony for HB251 on Feb 13, 2013 08:30AM\*

**HB251**

Submitted on: 2/11/2013

Testimony for HLT on Feb 13, 2013 08:30AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeannine Johnson	Individual	Support	No

Comments:

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