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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.



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

In reply, please refer to:
File:

**HOUSE COMMITTEES ON WATER AND LAND AND OCEAN, MARINE
RESOURCES, & HAWAIIAN AFFAIRS**

HB 0251, Relating to Native Hawaiians

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

February 1, 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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From: omhtestimony
Sent: Thursday, January 31, 2013 12:01 PM
To: waltestimony
Subject: FW: Submitted testimony for HB251 on Feb 1, 2013 08:00AM
Attachments: Nameaaaa Hoshino5.docx

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]
Sent: Thursday, January 31, 2013 11:59 AM
To: omhtestimony
Cc: hoshinos@hawaii.edu
Subject: Submitted testimony for HB251 on Feb 1, 2013 08:00AM

HB251

Submitted on: 1/31/2013

Testimony for OMH on Feb 1, 2013 08:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nameaaaa Hoshino	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Nameaaea Hoshino
Oppose House Bill 251

Aloha e Kākou

I submitting my testimony in oppose to HB 251 because going through the process of signing my name to this idea Native Hawaiian Roll Commission upon getting Hawaiian Recognition in which created by the State where the Governor Neil Abercrombie selective appointed these five Native Hawaiians to represent us. The changes of paying \$10 and \$1 now to get documentations for the birth, death, marriage or any certificates just by signing to this so called Native Hawaiian Roll Commission is an insult. The stipulations on this bill of submitting documentations to see if we are aboriginal people or Native Hawaiian by following Hawaiian Homes Commission Act of 1920 in-sense of 50% Blood quantum and if we are not registered on Hawaiian Homes that native Hawaiian is not qualified. This Native Hawaiian Roll Commission for Native Hawaiians already is causing problems and confusions in within the people. I, myself an Kanaka Maoli, Kanaka Lepo Popolo, Makaāinana to land I come from do not comprise or agree with this bill.

Mahalo Nui