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Unity, Equality, Aloha for all



To: HOUSE COMMITTEE ON JUDICIARY  
For hearing Tuesday, March 19, 2019

Re: SB 1451, SD1, HD1 RELATING TO STATE HOLIDAYS.  
Recognizes La Ku'oko'a, Hawaiian Recognition Day, as an official state holiday. (SB1451 HD1)

#### TESTIMONY IN OPPOSITION

It is both funny and sad to see that so many legislators have signed their names in support of this bill, which is deceptively named and would be bad policy. Pandering to anti-American secessionists is a very bad idea. This bill is not about memorializing a success of diplomacy from 1843, it's about supporting a highly divisive cult of activists who want to enlist you as a partisan in an ideological civil war which threatens to rip the 50th star off our flag.

Maybe you'll step away from this bill when you see how your predecessors in the 2007 legislature were lied to and fooled by the same gang now pushing this bill, and then those legislators were justly ridiculed for their pandering.

The following points are proved in detail later in this testimony. Please take the time to read the details.

1. The word "ku'oko'a" does NOT mean "recognition" -- it means "independence". Look it up in the dictionary. Also apply, to two other bills, this lesson on how easy it is to fool you legislators about the meaning of Hawaiian words -- I refer to SB195 and SB642, which would make it law that if a bill "was originally drafted in Hawaiian and the English version was translated based on the Hawaiian version, the Hawaiian version shall be held binding."

2. Look at the reasons openly stated for why Hawaiian independence activists have pushed to revive this holiday. They want the "fake-state" legislature to go on record that Hawaii has always been AND REMAINS an independent nation, or should be re-established as such. If you agree with that agenda then you should resign from the legislature of the STATE of Hawaii, which you have sworn an oath to support and defend.

3. The legislature was badly burned in 2007 when every Democrat voted in favor of officially creating a new permanent holiday every April 30, to be called "Hawaiian Restoration Day." Please note that the perennial April 30 holiday solemnly enacted by the 2007 legislature is not included in the list of holidays in Section 2 of today's bill. Why not? When you read item #4, you'll discover that what you should do is to add the now-official holiday of April 30 to the list in Section 2 WITH A LINE THROUGH THE NAME AND DATE TO INDICATE THAT THIS BILL IS REPEALING IT.

4. Some of the same people who push today's bill were also pushers of the 2007 bill, knowingly telling falsehoods that President Grover

Cleveland had proclaimed April 30 to be a U.S. holiday of fasting and repentance for the overthrow of the Hawaiian monarchy. You can see for yourselves a 4-page flyer that makes a laughing stock of the legislature for falling for that absurdity, especially after being presented with proof that President Cleveland's alleged proclamation was actually an April Fools [not April 30] satire against Cleveland published as an editorial in an anti-Cleveland newspaper and that the resolution's authors were aware of that fact. Maybe the legislators in 2007 couldn't imagine that a "reverend" would knowingly and cunningly tell a lie for a political purpose. A webpage provides further details about the actual newspaper editorial, and about the fact that the pushers of the resolution knew their testimony was false.

-----DETAILS PROVING THOSE POINTS-----

#### 1. The meaning of "Ku'oko'a" or "La Ku'oko'a"

I rely upon the large Pukui/Elbert Hawaiian dictionary, (c)1986 version. The entire entry at the top of page 184 says:

"Ku'oko'a. nvs. Independence, liberty, freedom; independent, free. La Ku'oko'a. Independence Day. Ho'ike no ke Ku'oko'a. Declaration of Independence. Ka Nupepa Ku'oko'a. The Independent Newspaper [name of a Hawaiian-language newspaper published in Honolulu 1861-1927]. ho'oku'oko'a. To establish independence. Make independent."

As you can easily see, the word "Recognition" is never mentioned anywhere in the definition of "ku'oko'a." This bill is extremely deceptive when it says (page 1, lines 9-10) La Ku'oko'a was known as Hawaiian Recognition Day, and when the description of the bill in the hearing notice says the bill "Reestablishes La Ku'oko'a, Hawaiian Recognition Day, as an official state holiday."

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2. Hawaiian independence activists seek to revive "La Ku'oko'a" as an assertion that Hawaii is now, or should be, a sovereign independent nation. This bill also falsely states that "La Ku'oko'a" was actively celebrated throughout the Kingdom, Provisional Government, Republic, and several years into the Territorial period.

Leon Siu styles himself as Foreign Minister of "Ke Aupuni o Hawai'i, the Hawaiian Kingdom." For many years he has actively traveled to United Nations meetings in New York and Geneva (Switzerland) asking delegates of other nations to publicly challenge U.S. sovereignty over Hawaii. In 2018 his buddies in the independence "movement" staged a publicity stunt nominating him for the Nobel Peace Prize. On November 20, 2018 he authored another in a series of "Ke Aupuni Update"s in the Free Hawaii blog, entitled "Celebrating La Ku'oko'a - Independence Day". His excellency "Foreign Minister Siu" has never referred to the Kingdom holiday as "Hawaiian Recognition Day."

This bill says "Throughout the 1850s and 1870s, Hawai'i celebrated La Ku'oko'a with lu'au, music, and marches. The celebration grew under the reign of King Kalakaua, with formal proclamations sent by official circular to the foreign diplomatic corps in Hawai'i and the Hawaiian Kingdom consuls abroad, informing them of the holiday. The day remained a national holiday under the Provisional Government of Hawai'i (1893), the Republic of Hawai'i (1894-1898), and the initial years of the Territory of Hawai'i."

But the Free Hawaii blog of November 27, 2018 says "After a failed armed attempt by Hawaiians to retake their Kingdom in 1895, the usurpers announced that Lā Kū'oko'a would no longer be celebrated, and the American holiday Thanksgiving Day would be the official national holiday instead. Removing a holiday like Hawai'i Independence Day was a way to cover up and try to destroy the history and identity of the Hawaiian Kingdom and its people. ... Tomorrow's celebration of Lā Kū'oko'a asserts that Hawai'i is still an independent nation, even under prolonged illegal occupation."

A writer of Hawaiian history describes how a very similar Kingdom holiday of even greater importance was hugely celebrated for a few years but then fell out of public awareness just like Ka La Ku'oko'a. July 31, 1843 was the day when King Kamehameha III uttered his famous statement from the steps of Kawaiaha'o Church: "Ua mau ke ea o ka 'aina i ka pono." (Sovereignty has been preserved because it is righteous). For several years this date was actively celebrated as a national holiday: Ka La Ho'iho'i Ea (Sovereignty Restoration Day). Today's sovereignty activists like to say it was a national holiday for all the remaining years of the Kingdom. However, a book friendly to the activists' general viewpoint says otherwise. Helena G. Allen, "The Betrayal of Liliuokalani" (Glendale CA, Arthur H. Clark Co., 1982), p. 61, says the following: "In the afternoon [July 31, 1843] Kamehameha III went in a solemn procession with his chiefs to Kawaiaha'o Church ...A ten-day celebration of Restoration Day followed, and was annually observed. The last of the Restoration Day celebrations came in 1847. The missionary element in the government were thereafter to declare the celebrations 'too expensive.' ... A thousand special riders, five abreast ... were followed by 2500 regular horsemen ... arrived at the Nuuanu picnic ground in a pouring rain, with spirits undampened. ... It was to be the last of such Hawaiian festivities ..."

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3 and 4: What happened in 2007 when every Democrat in the legislature foolishly voted to establish a permanent holiday on April 30, called "Hawaiian Restoration Day," despite testimony proving that the alleged historical basis for the holiday was completely false and that the pushers of the legislation knew it was false. Are you legislators today so gullible, and are you prepared to be ridiculed like your colleagues were 12 years ago? See the evidence, and the flyer, in the following two pages.

Read the full text of House Concurrent Resolution 82 (2007)  
"PROCLAIMING APRIL 30 OF EVERY YEAR AS HAWAIIAN RESTORATION  
DAY." Some highlights are:

"... in a proclamation dated February 25, 1894, President Cleveland declared that "April 30 [of every year] be set aside as a day of solemn fasting, and prayer for the injustice to me [President Grover Cleveland] and my great good sister [Queen Liliuokalani] for her speedy return to the throne" ... the Legislature hereby proclaims April 30 of each year as a special day of remembrance, education, and prayer, for people of all faiths, for Grover Cleveland, a great American who stood for the true values and principles of the United States Constitution, and for "liberty and justice for all"

[https://www.capitol.hawaii.gov/session2007/bills/HCR82\\_.htm](https://www.capitol.hawaii.gov/session2007/bills/HCR82_.htm)

See the status tracking of HCR82 as it got enacted:

<https://www.capitol.hawaii.gov/session2007/status/HCR82.htm>

Webpage title: "Twisting History -- Reverend Kaleo Patterson knowingly used a fake Grover Cleveland proclamation from 1894, cited it as fact, and used it as the basis for a media blitz in 2006 in Hawaii and on the mainland calling for a national day of prayer for restoration of Native Hawaiians and repentance for the overthrow of the monarchy. He repeated his local and mainland propaganda campaign in 2007 and pushed a resolution through the Hawaii legislature citing the joke proclamation as real. In 2008 the Honolulu Star-Bulletin published a story describing the Cleveland proclamation as a fact and refused to publish a correction. In 2010 Patterson made a trip to Caldwell N.J. in furtherance of his hoax, where the town council gave him a check for \$2920 to defray his expenses." [Caldwell N.J. is the birthplace and tomb of President Grover Cleveland]

Read the gory webpage details at

<http://www.angelfire.com/hi5/bigfiles3/fraudpattersononcleveland.html>

The Goebbels Award For Outstanding Use of Media for Propaganda Disguised As Fact was given to the Honolulu Star-Bulletin for its publication of the false historical information and for its refusal to correct the falsehoods despite proof:

<http://bigfiles90.angelfire.com/GoebbelsAwardHonStarBull042308.html>

See the 4-page flyer poking fun at the 2007 legislature for enacting HCR82, and providing photographic proof that the so-called Presidential Proclamation by Grover Cleveland was actually a sarcastic editorial directed against Cleveland by an anti-Cleveland newspaper.

<http://bigfiles90.angelfire.com/AprilFoolsGroverClevelandHawResoFlyer.pdf>

**SB-1451-HD-1**

Submitted on: 3/18/2019 11:11:39 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

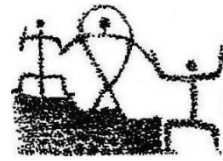
<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Coline Aiu	Halau Hula O Maiki	Support	Yes

Comments:





# KA LEI PĀPAHI ‘O KĀKUHIHEWA



P.O. Box 283342 Honolulu, HI 96828 | Phone: (808) 386-1363 | [www.kaleipapahi.com](http://www.kaleipapahi.com)

## COMMITTEE ON JUDICIARY

Rep. Chris Lee, Chair

Rep. Joy A. San Buenaventura, Vice Chair

DATE: Tuesday, March 19, 2019

TIME: 2:05pm

PLACE: Conference Room 325

REGARDING: Testimony in **Strong Support for SB 1451 SD1 HD1**, Relating to State Holidays

Dear Chair Lee and Committee Members:

Ka Lei Papahi O Kakuhihewa (KLPOK) **strongly supports SB 1451 SD1 HD1** because it reinstates Lā Kū‘oko‘a as an official holiday in recognition by Great Britain and France on November 28, 1843, of the existence of an independent country firmly rooted in the soil upon which we all now call home, some of us indigenous to the land and most from other parts of the world whether recent or generations old.

From its inception, during the Kingdom of Hawai‘i, Lā Kū‘oko‘a was acknowledged and celebrated as a national public holiday by the Provisional Government, the Republic of Hawai‘i and the Territory of Hawai‘i for it was the basis upon which each subsequent government could claim its undeniable right to rule as a sovereign. Therefore, it is appropriate and timely that the State of Hawai‘i should recognize Lā Kū‘oko‘a as an official State Holiday and acknowledge the foundation upon which it grew and why it exist today.

In addition, in County of Hawai‘i, Mayor Kim's testimony sent to the Senate Committee on Judiciary's hearing that was held on February 21, he states that it would be acceptable or even desirable to make Hawaiian Recognition Day on the fourth Thursday or Friday in November, following Thanksgiving. KLPOK agrees with this recommendation and finds it very appropriate since Hawai‘i was recognized as an independent country in late November.

The Friday after Thanksgiving is a state holiday in California, Delaware, Florida, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia and West Virginia. Therefore, Mayor Kim's suggestion is not without merit and makes economic sense.

*‘Ahahui Ka‘iulani*



**LATE**

*Mailing: P.O. Box 23075  
Honolulu, Hawai‘i 96823-3075  
Telephone (808) 681-2360*

SB1451, RELATING TO STATE HOLIDAYS  
Senate Committee on Judiciary

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March 19, 2019; 2:05pm

Room 325

State Capitol

415 S. Beretania Street

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Aloha Chair Chris Lee, Vice Chair Joy San Buenaventura, and Members of the Judiciary Committee:

‘Ahahui Ka‘iulani strongly supports SB1451.

In 1843, Lā Kū‘oko‘a was declared an official holiday of the Kingdom of Hawai‘i by Kauikeaouli, King Kamehameha III. Lā Kū‘oko‘a was reaffirmed by the Republic of Hawai‘i in 1896. SB1451 will reestablish Lā Kū‘oko‘a as an official holiday celebrated each November 28th.

Her Royal Highness Victoria Kawēkiu Ka‘iulani Lunalilo Kalaninuiahilapalapa, was the only child born to the last ruling dynasty of the Kingdom of Hawai‘i and proclaimed Heir Apparent on March 9, 1891, by the last ruler of the Kingdom of Hawai‘i, Her Royal Highness Queen Lili‘uokalani. To honor her name, ‘Ahahui Ka‘iulani was founded on October 16, 1975, on the 100th birthday anniversary of Hawai‘i’s beloved Princess Ka‘iulani. ‘Ahahui Ka‘iulani is an eleemosynary organization that assists children with learning disabilities.

‘Ahahui Ka‘iulani urges the Judiciary Committee to pass SB1451.

‘O wau no me ka ha‘aha‘a,

*/Coline Aiu/*  
Coline Aiu, Pelekikena

Testimony respectfully submitted electronically, March 18, 2019.

*“Ho‘okahua I Ka Na‘auao”  
(Establish the Wisdom)*



# KE ONE O KĀKŪHIHEWA

O'ahu Council of the  
Association of Hawaiian Civic Clubs

BENTON KEALII PANG, PH.D., -HAWAIIAN CIVIC CLUB OF  
HONOLULU  
PELEKIKENA

JACOB KA'ŌMAKAOKALĀ AKI-KING KAMEHAMEHA HCC  
HOPE PELEKIKENA

KALANI L. KA'ANĀ'ANĀ-KAILUA HCC  
HOPE PELEKIKENA 'ELUA

ALBERTA LOW-PEARL HARBOR HCC  
PU'UKU

ROTH PUAHALA -KING KAMEHAMEHA HCC  
PELEKIKENA IHO NEI

TERI LOO-KO'OLAUPOKO HCC  
KĀKAU 'ŌLELO

CHRISTINE "CHRISSY" ANJO-PEARL HARBOR HCC  
HOLE KĀKAU 'ŌLELO

'AHAHUI SIWILA HAWAI'I O KAPOLEI  
LANCE HOLDEN

AL'I PAUHI HCC  
KEHAULANI LUM

'EWA-PU'ULOA HCC  
MARLEEN KAU'I SERRAO

HCC OF HONOLULU  
MANU BOYD

KAILUA HCC  
MAPUANA DE SILVA

KALIHI-PĀLAMA HCC  
KAIMO MUHLESTEIN

KING KAMEHAMEHA HCC  
LETANI PELTIER

KO'OLAULOA HCC  
RANAE "TESSIE" FONOIOMOANA

KO'OLAUPOKO HCC  
ALICE P. HEWETT

LUALUALEI HCC  
SHIRLINE HO

MĀKAHA HCC  
LUANN LANKFORD-FABORITO

MĀLAMA MELE O HAWAI'I  
JANET ABRIGO

MAUNALUA HCC  
ROSE KITTY SIMONDS

NA LANI 'EHA HCC  
R. KELANI RAMOS

NĀNĀIKAPONO HCC  
JAYCINE HICKS

PAPAKŌLE'A HCC  
KEALI'I LUM

PEARL HARBOR HCC  
KU'UMEALOHA GOMES

PRINCE KŪHIŌ HCC  
A. MAKANA PARIS

PRINCESS KAI'ULANI HCC  
LEIMANA DAMATE

QUEEN EMMA HCC  
RAWLETTE P. KRAUT

HCC OF WĀHIAWA  
MARIE "MĀLIA" DOO

HCC OF WAIALUA  
MAKALAPUA CASSON-FISHER

WAI'ANAE HCC  
CYNTHIA ENRIQUEZ

WAIKĪ'I HCC  
L. PI'KEA TOMCZYK

HCC OF WAIMĀNALO  
FAITH KA'IAMA

## COMMITTEE ON JUDICIARY

MEETING DATE: 3/12/2019

**SB 1451 SDI HDI**

**SUPPORT TESTIMONY**

**MARCH 16, 2019**

Aloha Chair Chris Lee, Vice Chair Joy Buenaventura, and  
Committee Members,

As President for the 25 Hawaiian Civic Clubs of the O'ahu Council (Council), we strongly **SUPPORT** resolution SBI451 SDI HDI. This bill will reestablish Lā Kū'oko'a, Hawaiian Recognition Day, as an official state holiday. At the 57th annual convention of the Association of Hawaiian Civic Clubs, which we are a member, resolution 2016-36 was passed which calls for the celebration and respectful remembrance of Lā Kū'oko'a on November 28th of each year.

This bill would also celebrate to a time in Hawai'i when our kings and queens of the kingdom were highly regarded by all religious faiths. For example, Queen Lili'uokalani strongly believed all religions had their rights and were entitled to equal treatment and, she showed interested in not only Christian faiths, but also Buddhism, Hindu, and Shinto. Please Pass SBI451 SDI HDI.

*Ke One O Kākūhihewa is a native Hawaiian council made up of 25 civic clubs on the island of O'ahu. Our oldest member, Hawaiian Civic Club of Honolulu was established by Prince Jonah Kūhiō Kalaniana'ole on December 7, 1918.*

Sincerely,

Benton Kealii Pang, Ph.D.





## THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS

House Committee on Judiciary

*Pō'aluā, Malaki 19, 2019*

*Lumi 'Aha Kūkā 325*

*Ke Kapikala Moku 'āina*

415 South Beretania Street

Re: SB1451 SD1 HD1 - RELATING TO STATE HOLIDAYS

*Aloha Luna Ho'omalū* Chriss Lee, *Hope Luna Ho'omalū* Joy San Buenaventura and members of the House Committee on Judiciary:

The Association of Hawaiian Civic Clubs **SUPPORTS** SB1451 SD1 HD1. This bill will reestablish Lā Kū'oko'a, Hawaiian Recognition Day, as an official holiday. At the 57th annual convention of the Association, resolution 2016-36 was passed which calls for the celebration and respectful remembrance of Lā Kū'oko'a on November 28th of each year.

Thus, the Association respectfully urges the Committee to **PASS** SB1451 SD1 HD1.

The civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalaniana'ole with the creation of the Hawaiian Civic Club; the Association was formally organized in 1959 and has grown to a confederation of over sixty (60) Hawaiian Civic Clubs located throughout the State of Hawai'i and the United States. The Association is the oldest Hawaiian community-based grassroots organization. The Association is governed by a 16-member Board of Directors; advocates for improved welfare of Native Hawaiians in culture, health, economic development, education, social welfare, and nationhood; and perpetuates and preserves language, history, music, dance and other Native Hawaiian cultural traditions. Mahalo for allowing us to share our *mana'o*.

*Me ka 'oia'i'o,*

Hailama Farden  
*Pelekikena*

# ***ASSOCIATION OF HAWAIIAN CIVIC CLUBS***

## ***A RESOLUTION***

16 - 36

### **REMEMBER AND RESPECT LA KUOKOA (HAWAIIAN INDEPENDENCE DAY) AS A HAWAIIAN NATIONAL HOLIDAY TO BE OBSERVED AND CELEBRATED ON NOV. 28 EVERY YEAR**

WHEREAS, La Kuokoa—Hawaii’s Independence Day—was officially celebrated around the same time as Thanksgiving from about 1844 until 1895\*; and

WHEREAS, La Kuokoa is the 28th of November, marking the day in 1843 that the Alii Timoteo Haalilio succeeded in obtaining the signatures of the authorities of Great Britain and France on a treaty recognizing Hawaii as a sovereign and independent nation; and

WHEREAS, Haalilio, with the missionary William Richards along as his secretary, traveled through Mexico on foot and donkey to Washington D.C., where they met President John Tyler; and

WHEREAS, President Tyler agreed to the intent of the proposed treaty; and

WHEREAS, Haalilio and Richards, armed with his agreement, then went on to Europe, to Belgium, Paris, and London, where the treaty was finally signed; and

WHEREAS, they then returned to the United States to cement U.S. agreement; and

WHEREAS, the Treaty of Independence was a substantial achievement under International Law recognized by the Hawaiian Kingdom government through the official celebration of La Kuokoa; and

WHEREAS, after the coup in 1893, the so-called Republic of Hawaii government announced that November 28, 1895—a Thursday—would not be celebrated as La Kuokoa, but would become the American Thanksgiving holiday, instead; and

WHEREAS, the poe aloha aina—the thousands of Hawaiian Kingdom subjects opposed to the illegal government—were incensed; and

WHEREAS, the people ignored the government's orders, and held celebrations of La Kuokoa instead; and

WHEREAS, at those gatherings, the poe aloha aina told the story of Haalilio's journey and significant achievement; and

WHEREAS, James Kaulia of the Hui Aloha Aina stated that the people recalled with gladness the restoration and perpetuation of the independence of Hawaii; and

WHEREAS, the perpetrators of 1895-1896 not only deprived Hawaii of a national holiday, they enacted laws that caused all Hawaiians the loss of our language and the related loss of our own history, a process that caused us to be deprived of even the memory of this Hawaiian national holiday; and

WHEREAS, the council of Hawai'i County recognize La Kuokoa.

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 57th annual convention at Las Vegas, Nevada this 19<sup>th</sup> day of November 2016, that it remember and respect La Kuokoa (Hawaiian Independence Day) as a Hawaiian national holiday to be observed and celebrated on Nov. 28 every year; and

BE IT FURTHER RESOLVED, that the Association of Hawaiian Civic Clubs encourage the State of Hawaii and County governments to consider recognizing La Kuokoa; and

BE IT FURTHER RESOLVED, that the Association of Hawaiian Civic Clubs includes, along with its celebration and recognition of American holidays such as July 4th American Independence Day and January 16th Martin Luther King Day, specific remembrance of La Kuokoa as a Hawaiian holiday; and

BE IT FURTHER RESOLVED, that the Association of Hawaiian Civic Clubs include La Kuokoa holiday as Hawaiian Independence Day on its calendar of events.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Governor of the State of Hawai'i, President of the State Senate, Speaker of the State House of Representatives, Chair of the State Senate Committee on Hawaiian Affairs, Chair of the State House Committee on Ocean, Marine Resources, & Hawaiian Affairs, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and all County Mayors.

Sources:

\*Noenoe Silva, PhD. 1998 <http://www.hawaiiankingdom.info/C1126750129/E501424467/>

\* Ke Aloha Aina (Hawaiian language newspaper)

November-December 1895, January 1896.



The undersigned hereby certifies that the foregoing Resolution was duly adopted on the 19<sup>th</sup> day of November 2016, at the 57th Annual Convention of the Association of Hawaiian Civic Clubs in Las Vegas, Nevada.

*Annelle C. Amaral*

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Annelle C. Amaral, President



## THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS

Committee on Hawaiian Affairs  
Committee on Higher Education

*Pō‘alua, Malaki 19, 2019*  
*Lumi ‘Aha Kūkā 229*  
*Ke Kapikala Moku ‘āina*  
415 South Beretānia Street

Re: HB420 HD1 - RELATING TO INCREASING THE OFFICE OF HAWAIIAN AFFAIRS' PRO RATA SHARE OF PUBLIC LAND TRUST FUNDS

*Aloha Luna Ho‘omalu Maile Shimabukuro, Hope Luna Ho‘omalu Kaialii Kahele, Luna Ho‘omalu Donna Kim, Hope Luna Ho‘omalu Michelle Kidani and members of the Senate committees on Hawaiian Affairs and Higher Education:*

The Association of Hawaiian Civic Clubs **SUPPORTS** HB402 HD1. This bill will help the State better fulfill its trust responsibilities to the Native Hawaiian community, especially through providing OHA with a higher percentage of its constitutional and statutory pro rata share of the Public Land Trust revenue. At the 57th annual convention of the Association, resolution 2016-1 was passed where it called for a more equitable annual allocation of Public Land Trust revenue to OHA for its pro rata share and for the State to provide funds to address the years of underpayment.

The original bill transfers \$139 million to OHA to make up for some of the underpayment of public land trust revenues from July 1, 2012 to June 30, 2019; establishes \$35 million as the new interim pro rata share allocation to OHA; requires the continued annual accounting of all receipts from lands described in section 5(f) of the Admission Act; and establishes a committee to recommend the annual amount of the income and proceeds from the public land trust that OHA shall receive annually.

The Native Hawaiian community has been denied access to their trust resources for decades. The OHA pro rata share of PLT revenue is the primary source of funding for programs, grants and services that benefit the Native Hawaiian community, and has positive effect on all of Hawai‘i. Raising the annual appropriation to \$35 million will support a wider range of strategic



and innovative programs—including housing, health care, education, business opportunities, and job opportunities—that will improve the well-being and conditions of Native Hawaiians and all of Hawai‘i.

Thus, the Association respectfully urges the committees to **PASS** HB402 HD1.

The civic club movement was founded in 1918 by Congressional Delegate Prince Jonah Kūhiō Kalaniana‘ole with the creation of the Hawaiian Civic Club in Honolulu, O‘ahu; the Association was formally organized in 1959 and has grown to a confederation of over sixty (60) Hawaiian Civic Clubs located throughout the State of Hawai‘i and the United States. The Association is the oldest Hawaiian community-based grassroots organization. The Association is governed by a 16-member Board of Directors; advocates for improved welfare of Native Hawaiians in culture, health, economic development, education, social welfare, and nationhood; and perpetuates and preserves language, history, music, dance and other Native Hawaiian cultural traditions.

*Mahalo* for allowing us to share our *mana‘o*.

*Me ka ‘oia‘i‘o,*

Hailama Farden  
*Pelekikena*

***ASSOCIATION OF HAWAIIAN  
CIVIC CLUBS***

***A RESOLUTION***

16 - 1

**URGING THE GOVERNOR OF THE STATE OF HAWAI'I TO CONVENE THE  
PUBLIC LAND TRUST REVENUES NEGOTIATING COMMITTEE**

WHEREAS, the House of Representatives of the Twenty-eighth Legislature of the State of Hawai'i, Regular Session of 2016, the Senate concurring, adopted a concurrent H.C.R. No. 188 H.D. 1 S.D. 1, requesting the Governor convene a Public Land Trust Revenues Negotiating Committee (Committee); and

WHEREAS, the Committee is to discuss the income and proceeds from the public land trust that the Office of Hawaiian Affairs (OHA) should receive annually pursuant to the State Constitution and other State laws; and

WHEREAS, the Committee is to be comprised of the Governor or designee, the President of the Senate or designee, the Speaker of the House of Representatives or designee, the Chairperson of the OHA or designee; and

WHEREAS, the State of Hawai'i has fiduciary responsibilities as the trustee of the public land trust established by section 5(f) of the Admission Act of 1959; and

WHEREAS, in 1978 the people of Hawai'i overwhelmingly ratified amendments to the constitution, including Article XII, section 6, which established OHA; and

WHEREAS, OHA has a right to receive a pro rata portion of the public land trust for one of the five express purposes of the public land trust – the betterment of the conditions of Native Hawaiians; and

WHEREAS, pursuant to its fiduciary obligations, the state of Hawai'i enacted Act 273, S.L.H. 1980, codified as Hawaii Revised Statute (HRS) section 10-13.5, which defined OHA's pro rata share as "twenty percent of all funds derived from the public land trust"; and

WHEREAS, OHA and the State litigated over the scope of revenue subject to OHA's pro rata share starting in the 1980s, which ultimately led to a dismissal by the court because HRS section 10-13.5 did not provide the court sufficient "judicially discoverable and manageable standards" and therefore could not be decided without initial policy determinations by the legislature; and

WHEREAS, for decades OHA and the State have disagreed on how to calculate OHA's pro rata share of the public land trust as well as whether certain revenue streams should be subject to OHA's minimum twenty percent share; and

WHEREAS, Act 178, SLH 2006, temporarily established OHA's pro rata share of the income and proceeds of the public land trust for the betterment of the conditions of Native Hawaiians at \$15,100,000 annually and required State agencies to report public land trust revenues to the legislature each year; and

WHEREAS, the State's annual payments to OHA for its portion of the public land trust, which are calculated using historically-undisputed revenue streams, have resulted in overages over the temporary \$15,100,000 allotment requiring OHA to return millions of dollars to the State starting in fiscal year 2013; and

WHEREAS, a decade has passed since the enactment of Act 178, SLH 2006, it is now appropriate for the State and the OHA to re-examine the annual figure of \$15,100,000 in light of information, data, and facts provided to the Legislature by State agencies over the last three fiscal years concerning revenues of the public land trust; and

WHEREAS, the Hawai'i Supreme Court has repeatedly held that the Legislature has a constitutional obligation to clarify the pro rata portion of revenues derived from the public land trust to which OHA is entitled for the benefit of Native Hawaiians under Article XII, sections 4 and 6 of the Hawai'i State Constitution; and

WHEREAS, OHA relies substantially on revenues derived from the public land trust to manage over 27,000 acres of conservation and agricultural lands, advocate for policies that better the conditions of Native Hawaiians, monitor government actions to ensure their compliance with environmental laws and the public trust, and provide community grants and scholarships; and

WHEREAS, the convening of the Committee would be a positive step towards improving the civic, economic, social welfare, and health of Native Hawaiians and the larger State community.

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs at its 57<sup>th</sup> annual convention at Las Vegas, Nevada this 19<sup>th</sup> day of November 2016, that it urges the Governor of the State of Hawai'i to convene the Public Land Trust Revenues Negotiating Committee; and

BE IT FURTHER RESOLVED, that as part of the negotiated settlement the State shall provide at least twenty percent of all public land trust revenue to OHA moving forward; and

BE IT FURTHER RESOLVED, that the State shall provide all back funds based on the minimum twenty-percent pro rata share that has not been transferred to OHA since its Constitutional creation; and

BE IT FURTHER RESOLVED, that OHA and the State introduce legislation to formalize such agreement by the 2018 legislative session; and

BE IT FURTHER RESOLVED, that the Legislature determine the policy for judicially discoverable and manageable standards; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Governor of the State of Hawai'i, President of the State Senate, Speaker of the State House of Representatives, Chair of the State Senate Committee on Hawaiian Affairs, Chair of the State House Committee on Ocean, Marine Resources, & Hawaiian Affairs, Chair of the Board of Trustees of the Office of Hawaiian Affairs, and all County Mayors.



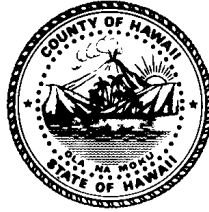
The undersigned hereby certifies that the foregoing Resolution was duly adopted on the 19<sup>th</sup> day of November 2016, at the 57th Annual Convention of the Association of Hawaiian Civic Clubs in Las Vegas, Nevada.

*Annelle C. Amaral*

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Annelle C. Amaral, President

**Harry Kim**  
*Mayor*



**Wil Okabe**  
*Managing Director*

**Barbara J. Kossow**  
*Deputy Managing Director*

## County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553  
KONA: 74-5044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740  
(808) 323-4444 • Fax (808) 323-4440

March 18, 2019

Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
Committee on Judiciary

Dear Chair Lee, Vice Chair San Buenaventura, and Committee Members:

**RE: SB 1451, SD1, HD1 Relating to State Holidays**

The people of Hawai'i are justly proud of the history of the Hawaiian nation, just as we are also proud of our U.S. history. It is not inconsistent to value both ancestries, and one legacy need not, and should not, be sacrificed for the sake of the other.

SB 1451, SD1, HD1 proposes to simply add a new holiday to our calendar, unlike an earlier version that would have eliminated Presidents' Day.

So long as the new holiday is adopted in a way that honors our Hawaiian heritage without doing damage to our American heritage, I support such legislation, and hope you will act favorably on SB 1451, SD1, HD1.

Respectfully Submitted,

Harry Kim  
MAYOR



Luna O Na Papa Alakai

House Committee on Judiciary

Pelekikena  
A. Makana Paris

March 19, 2019  
Room 325  
State Capitol  
415 South Beretania Street

Hope Pekekikena  
Ekahi  
Randi Fernandez

Hope Pelekikena  
Elua  
Matthew Gumapac

Re: SB1451 SD1 HD1 - RELATING TO STATE HOLIDAYS

Puuku  
Denise Kekuna

*Aloha* Chair Lee, Vice-Chair San Buenaventura and members of the House Committee on Judiciary:

Kakauolelo Hoopaa  
Sai Furukawa

The Prince Kūhiō Hawaiian Civic Club (PKHCC) **SUPPORTS** SB1451 SD1 HD1. This bill will re-establish Lā Kū'oko'a, Hawaiian Recognition Day, as an official state holiday. At the 57th annual convention of the Association, resolution 2016-36 was passed which calls for the celebration and respectful remembrance of Lā Kū'oko'a on November 28th of each year.

Kakauolelo Hooholo  
Palapala  
Kamuela Werner

Founded in 1964, PKHCC was organized to promote the education and social welfare of people of Hawaiian ancestry and objectives include supporting high ethical standards in business, industry and the professional fields of enterprise.

Pelekikena Hala  
Koke  
Yvonne 'PeeWee'  
Ryan

PKHCC urges the committee to **PASS** SB1451 SD1 HD1.

Luna Alakai  
Kuni Agard  
Puamana Crabbe  
Kanani Pali  
Marlene Sai  
Jennifer Smythe  
Bruce Wong

*Mailing Address:*  
P.O. Box 4728  
Honolulu ~ Hawaii  
96812

*Me ke aloha,*

A. Makana Paris  
Pelekikena  
president@pkhcc.org

www.pkhcc.org

Founded in 1964  
by Liliuokalani  
Kawananakoa Morris

**SB-1451-HD-1**

Submitted on: 3/18/2019 2:41:31 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Raytan K. Vares	Democratic Party of Hawaii-Hawaiian Affairs Caucus	Support	No

Comments:

Aloha Representative Lee and members of the Judiciary Committee,

The Hawaiian Affairs Caucus submits testimony in support of this measure. In the spirit of continued reconciliation between the State of Hawai'i and the Native Hawaiian community, this measure seeks to establish a state holiday recognizing the independence of the former Kingdom of Hawai'i, LĀ• KĀ«'oko'a. It was once a national holiday for the Kingdom of Hawai'i, initially declared in 1843, and later reaffirmed by the Republic of Hawaii in 1896.

LĀ• KĀ«'oko'a represents a significant period in Hawaii's history by celebrating the recognition of the Kingdom's independence from the world's political and economic super powers of the time, Great Britain, France, and the United States. As it inspired and lended to a greater sense of pride for Kingdom subjects, Hawaiian independence day has done the same for Native Hawaiians and the like today. Efforts to educate the greater community about this significant part of history are ongoing. An annual celebration is held in the month of November at Thomas Square Park with educational panels, speeches, food and music, as well as the City and County of Honolulu's recent dedication of the Kamehameha III statue, Hawaiian flag and pole, and state motto memorials, all at the Thomas Square Park. This legislation builds on that momentum with the restoration of this important holiday.

We urge your committee to pass this measure. Mahalo for your consideration.



BEFORE THE SENATE JUDICIARY COMMITTEE

March 19, 2019

Senate Bill 1451

Relating to State Holidays

Aloha Chair Rhoads, Vice Chair Wakai, and Members of the Committee,

Ka Lāhui Hawai'i Political Action Committee (KPAC) submits the following testimony in SUPPORT of Senate Bill 1451 “reestablishing” Lā Kū‘oko‘a, Hawaiian Recognition Day, as a State Holiday.

Ka Lāhui Hawai'i Political Action Committee (KPAC) sees this as a step in the right direction by the State of Hawai'i toward Kanaka Maoli self-determination and sovereignty. The creation of Lā Kū‘oko‘a as a “State Holiday” would help raise awareness in Hawai'i and abroad regarding the true history of Hawai'i. It is a history about a proud and friendly Hawaiian Nation that was wrongfully overthrown, and a history that for many generations have not been taught in Hawai'i schools.

We ask for the following amendment of the bill that Lā Kū‘oko‘a be called “Hawaiian **Independence Day**” instead of Hawaiian Recognition Day in keeping with the true spirit of the original Holiday which was the recognition of the independence of the Hawaiian Kingdom.

Respectfully submitted,

M. Healani Sonoda-Pale  
Chair, KPAC





DAUGHTERS AND SONS OF THE HAWAIIAN WARRIORS

*(Mamakakaua)*

*Honolulu, Hawaii*

**LATE**

P.O. Box 1285  
Honolulu, HI 96807

SB1451, RELATING TO STATE HOLIDAYS  
Senate Committee on Judiciary

March 19, 2019, 2:05pm  
Room 325, State Capitol  
415 S. Beretania Street

Aloha Chair Chris Lee, Vice Chair Joy San Buenaventure, and Members of the Judiciary Committee:

The Daughters and Sons of the Hawaiian Warriors-Māmakakaua supports SB1451.

In 1843, King Kamehameha III, Kauikeaouli, declared November 28th a national holiday, Lā Kū'oko'a. The day was observed in remembrance of the Anglo-Franco Proclamation when Great Britain and France, the leading world powers of that time, recognized the Kingdom of Hawai'i as an equal independent nation. The United States of America also recognized the independent nation Kingdom of Hawai'i. Even the Republic of Hawai'i acknowledged and observed Lā Kū'oko'a.

Sadly, history documents the disregard, violation and takeover of the Kingdom of Hawai'i.

History is what it is but given the opportunity to address and re-establish Lā Kū'oko'a will, like Thomas Square and the statue of King Kamehameha III, educate all Hawai'i of its democratic and international importance and prominence prior to the State of Hawai'i and tourism.

'O wau no,

*/Celine Aiu/*

Coline Aiu  
Kuhina Nui  
March 19, 2019

*"E ike i ka hoa kanaka, he mamalahoa ke kanawai"*

**SB-1451-HD-1**

Submitted on: 3/18/2019 11:04:53 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalaniakea Wilson	Individual	Support	No

Comments:

To not pass this bill is similar to perpetuate the 1893 illegal overthrow again 126 years later. Hawaiian language was spanked out of children, Hawaiians are continually being evicted from the land of their ancestors. Universal health care was stripped away. 27,000 Hawaiians continue to wait for a century to access the prescription 1920 H.H.C.A. from the ailment of 1893 won't simply just disappear. Passing this bill will provide some mental health healing for all Hawaiians and the globe. Please support and pass this bill!

**SB-1451-HD-1**

Submitted on: 3/17/2019 4:34:35 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Adam Joy	Individual	Oppose	Yes

Comments:

I oppose SB1451. I'm a citizen of Hawaii of part Hawaiian descent. Though I have compassion and support recognition of historical Hawaiian events I strongly oppose any measure that will remove Good Friday as a State holiday. As a Christian man my belief is that it would be blasphemous to remove. It's heart wrenching to witness bill after bill being introduced and much yet pass that continues demoralize our society. It may seem like a minor issue to some but there comes a point where enough is enough.

**SB-1451-HD-1**

Submitted on: 3/15/2019 3:45:19 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	Oppose	No

Comments:

I apologize but I must withdraw my support for this bill. I am not willing to sacrifice any existing Holidays to make way for this new proposed Holiday.

**SB-1451-HD-1**

Submitted on: 3/17/2019 1:47:00 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steven Melling	Individual	Oppose	No

Comments:

As it is we have too many state holidays. Money out with nothing to show for it. Christianity has made a profoundly positive impact on the islands of Hawaii and should not be removed.

**SB-1451-HD-1**

Submitted on: 3/17/2019 2:10:33 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Danny Melton	Individual	Oppose	No

Comments:

Honorable Senators

While I support the establishment of Hawaiian Recognition Day as a state holiday. We oppose eliminating Good Friday. This is an attack on our faith based communities. What is next Christmas?

Respectfully

Dan Melton

Col USMC ret

Waipahu

**SB-1451-HD-1**

Submitted on: 3/17/2019 5:17:28 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Toby Rushforth	Individual	Oppose	No

Comments:

As my good friend says:

"While we support the establishment of Hawaiian Recognition Day as a state holiday. We oppose eliminating Good Friday. This is an attack on our faith based communities. What is next Christmas?"

**SB-1451-HD-1**

Submitted on: 3/17/2019 6:25:59 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Steffens	Individual	Oppose	No

Comments:

How could any one consider disrespecting the commemoration of the crucifixion of Jesus Christ by renaming this holiday? He willingly died for all of our sins. This in not like renaming a park or street. It is a holiday paying homage THE KING. Respectfully, a proud christian,

John Steffens,

Embrace Faith Fellowship



**SB-1451-HD-1**

Submitted on: 3/17/2019 8:01:33 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Smart	Individual	Oppose	No

Comments:

I most strongly oppose SB1451 SD1 HD1. The royalty of Hawaii promoted the Christian religion to the people of Hawaii. Chieftess Kapiolani said a Christian prayer and defied Pele. Queen Ka'ahumanu and six high chiefs asked to be baptized shortly thereafter. Princess Bernice Pauahi Bishop established the Bishop estate and an important criteria was to pass on the Christian faith to the students who attended her school. Kamehameha School is the premier school of our state. Good Friday is the holiest of holidays for Christians. In memory of our Hawaii royalty, it would be a trevsty to take away this sacred day when many people of Hawaii want to spend in Church and with family. Do not insult the history of Hawaii. Maintain Good Friday and a holiday remembering the sacrifice of our Lord Jesus Christ, if not for your constituents, then for the Queens/Princesses who loved the people of Hawaii so dearly.

**SB-1451-HD-1**

Submitted on: 3/17/2019 9:23:06 PM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
SUSAN P HUGHES	Individual	Oppose	No

Comments:

Hawaiian Recognition Day is okay but why take away our religious holidays?

Our country was founded on Christianity and should be recognized and supported. If people don't know that it's because they haven't learned US Hlstoroy ~ or perhaps it's not even being taught in the schools anymore....

**SB-1451-HD-1**

Submitted on: 3/18/2019 9:00:41 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Allen Kainoa Leong	Individual	Oppose	No

Comments:

Oppose

**LATE**

**SB-1451-HD-1**

Submitted on: 3/19/2019 9:42:47 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Olivia Lee Mann	Individual	Support	No

Comments:

**LATE**

**SB-1451-HD-1**

Submitted on: 3/19/2019 9:44:56 AM

Testimony for JUD on 3/19/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ramona-Ann Momilani Kaehuaea	Individual	Support	No

Comments: