

OFFICE OF INFORMATION PRACTICES

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To: House Committee on Culture, Arts, & International Affairs
From: Cheryl Kakazu Park, Director

Date: March 24, 2021, 11:00 a.m.
Via Videoconference

Re: Testimony on S.B. No. 696, S.D. 1
Relating to the Festival of Pacific Arts

Thank you for the opportunity to submit testimony on this bill, which would extend the existence of the Commission on the Thirteenth Festival of Pacific Arts and allow less than a quorum of its members to discuss board business outside a meeting as a permitted interaction under the Sunshine Law, provided that it holds a public meeting at least once a month. The Office of Information Practices (OIP) has no objection to the proposed permitted interaction. However, OIP understands that the Commission seeks an amendment to the permitted interaction to allow any number of members to discuss board business outside a meeting for the period of time leading up to, and after, the festival, during which the members will primarily be occupied with actually running the Festival rather than making decisions on how to run it and planning it in general.

OIP is open in concept to such an amendment, but would recommend that the period of time during which all members can discuss board business outside a meeting be limited to the time during which this Committee finds that the Commission will be actively engaged in running the Festival. OIP therefore proposes language for the amendment, and recommends that this Committee fill in

the blanks as it deems suitable. **Specifically, on bill page 4, line 5, OIP recommends adding the following language to the end of bill section 3** to address the Commission's concern:

. . . and provided further that during the period from ___ months before the opening day of the festival of pacific arts to ___ months after the closing day, the number of commission members who may discuss matters relating to official board business outside a meeting under this section shall not be limited.

Thank you for considering OIP's proposed amendment.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE
GOVERNOR

MIKE MCCARTNEY
DIRECTOR

CHUNG I. CHANG
DEPUTY DIRECTOR

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Statement of
MIKE MCCARTNEY
Director

Department of Business, Economic Development, and Tourism
before the
COMMITTEE ON CULTURE, ARTS, & INTERNATIONAL AFFAIRS

Wednesday, March 24, 2021
11:00 AM
Via Videoconference

In consideration of
SB696, SD1
RELATING TO THE FESTIVAL OF PACIFIC ARTS.

Chair Gates, Vice Chair LoPresti, and members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) supports SB696, SD1, that extends the date on which the Temporary Commission on the 13th Festival of Pacific Arts will sunset to August 31, 2025; and permits less than a quorum of the Commission members to discuss matters relating to official board business outside of a properly noticed public meeting in the course of planning the Festival, as a permitted interaction under section 92-2.5, HRS, provided that the Commission hold a properly noticed public meeting at least once a month and report its progress in the matters discussed outside a meeting under this section.

The Festival, which was originally scheduled for June 2020, was rescheduled to 2024, due to the Covid-19 pandemic, thus making it necessary to extend the sunset date of the Commission.

Regarding the language in SD1 on the permitted interaction, DBEDT defers to the Commission.

Thank you for the opportunity to testify.



Hawai'i Convention Center
1801 Kalākāua Avenue, Honolulu, Hawai'i 96815
kelepona tel 808 973 2255
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David Y. Ige
Governor

John De Fries
President and Chief Executive Officer

Statement of
JOHN DE FRIES

Hawai'i Tourism Authority
before the
HOUSE COMMITTEE ON CULTURE, ARTS, AND INTERNATIONAL AFFAIRS

Wednesday, March 24, 2021
11:00 AM
via videoconference

In consideration of
SENATE BILL NO. 696 SD1
RELATING TO THE FESTIVAL OF THE PACIFIC ARTS

Chair Gates, Vice Chair LoPresti, and members of the Committee on Culture, Arts, and International Affairs: the Hawai'i Tourism Authority (HTA) **supports** Senate Bill 696 SD1, which extends the date on which the temporary commission on the 13th Festival of Pacific Arts & Culture shall cease to exist to August 31, 2025. It permits less than a quorum of commission members to discuss matters relating to official board business outside a commission meeting as a permitted interaction under Part I of Chapter 92, Hawaii Revised Statutes, to enable them to perform their duties faithfully, provided that the commission holds a meeting at least once a month and discusses the progress of the permitted interaction matter at the next meeting.

The 13th Festival of Pacific Arts & Culture was originally scheduled to be held in Hawai'i last summer, but due to the COVID-19 pandemic, it is now set to take place June 6-16, 2024. As a result, it is necessary to extend the date of the temporary commission to allow its members to continue planning for the festival in 2024.

It is for that reason that HTA **supports** SB696, SD1. We appreciate this opportunity to provide testimony.



HO'OUULU LĀHUI
Regenerating Oceania
13th Festival of Pacific Arts & Culture
Hawai'i 2024

**Commission on the 13th
Festival of Pacific Arts
& Culture**

Chair
Kalani Ka'anā'anā
Hawai'i Tourism Authority

Commissioners
Snowbird Bento
Community

Māpuana de Silva
Community

Sen. Jarrett Keohokālole
Hawai'i State Senate

Mike McCartney
*Dept. Of Business,
Economic Development &
Tourism*

Monte McComber
Governor's Designee

Rep. Richard Onishi
*Hawai'i State House of
Representatives*

Makanani Salā
City & County of Honolulu

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festpachawaii.org
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Pacific
Community
Communauté
du Pacifique

Statement of
KALANI KA'ANĀ'ANĀ
Chair of the
Commission on the 13th Festival of Pacific Arts and Culture
before the
**COMMITTEE ON CULTURE, ARTS, & INTERNATIONAL
AFFAIRS**

Wednesday, March 24, 2021
11:00 AM
Via Videoconference

In consideration of
SB696, SD1
RELATING TO THE FESTIVAL OF PACIFIC ARTS.

Chair Gates, Vice Chair LoPresti, and members of the
Committee.

I am Kalani Ka'anā'anā, Chair of the Commission on the 13th
Festival of Arts and Culture, or FestPAC. I am pleased to offer
testimony in support of SB696, SD1, on behalf of the Commission.

This measure extends the date on which the Commission will
sunset to August 31, 2025; and permits less than a quorum of the
Commission members to discuss matters relating to official board
business outside of a properly noticed public meeting in the course of
planning the Festival, as a permitted interaction under section 92-2.5,
HRS, provided that the Commission hold a properly noticed public
meeting at least once a month and report its progress in the matters
discussed outside a meeting under this section.

FestPAC was originally scheduled to take place in June 2020;
however, due to the Covid-19 pandemic, the Pacific Community, the
international custodian of the Festival, made the decision to postpone
the event until 2024. This requires the Commission sunset date to be

extended to August 31, 2025 as presently drafted.

The bill also includes language that permits less than a quorum of Commission members to discuss matters outside of a public meeting as a permitted interaction under section 92-2.5, HRS. The Commission is a working group, having divided up the responsibilities of planning and implementing the Festival amongst the members. The Commission is concerned that as the Festival date approaches, and their responsibility turns more to running than planning the 10-day event, the permitted interaction will need to allow for more than a quorum of Commission members to meet, in between public meetings, in order to put on a successful Festival.

The Commission understands the concerns of the Office of Information Practices (OIP) and has been in discussion with them to protect the public's right to know and participate in the Commission's work. The Commission continues to meet at properly noticed meetings every other week and are committed to doing so. Further, all of the Commission's meetings are live streamed on Facebook to make the meetings available to the public in Hawai'i and Pacific Island colleagues across the region. Lastly, all of the Commission's written work is required to be made available in 'Ōlelo Hawai'i, English, and French and requires additional time and coordination in making the translations available.

Thank you for the opportunity to testify. Should you have any questions please feel free to reach me at 808-973-2281 or kalani@gohta.net.

SB-696-SD-1

Submitted on: 3/24/2021 10:20:11 AM

Testimony for CAI on 3/24/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Pollock	Ebb & Flow Arts	Support	No

Comments:

Please submit my testimony to the appropriate legislators. I was not able to find the appropriate portal on hawaii.gov's website. It is my understanding that two resolutions in support of the Arts and artists will be under consideration soon. My testimony is in support of these resolutions.

The Arts are ESSENTIAL to a vibrant, spontaneous, living culture in our state. We regret that the Arts and artists are relegated to "non-essential" functions in our state as well as across the country. How will we be remembered? By the amount of fast food restaurants? The amount of cars we produced? The tallest building we constructed? The mega sporting events? The advertisements for non-food "food," prescription drugs, and cosmetic products?

No. We will be remembered for our artistic and cultural achievements - the books that were written, the music that was composed and performed, the poems that were written, the paintings that were created, the theatrical productions; in other words, our composers, painters, dancers, poets, playwrights, and all those who support them and their creations. The signs of a vibrant culture are the force and power of its Arts and Culture. Without the Arts, we lose our souls and spirits, our ability to imagine, our creativity - the healthiest human process.

We urge passage of any and all resolutions in support of Hawaii's artist and the Arts.

SB-696-SD-1

Submitted on: 3/19/2021 7:28:07 PM

Testimony for CAI on 3/24/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments:

Aloha, I continue to support this measure. The 13th Festival of Pacific Arts & Culture was originally scheduled to be held in Hawai'i last summer, but due to the COVID-19 pandemic, it is now set to take place June 6-16, 2024. As a result, it is necessary to extend the date of the temporary commission to allow its members to continue planning for the festival in 2024.

I was a participant representing Hawaii several years ago. The festival left a lasting impression on me as a young adult exposed to the many Pacific Island cultures and because of the lasting friendships made among our contingent, many of whom today are leaders in our community. And, if I am indicative of the many who participated in the Festival, I can assure you that attendees will contribute to the economy of Hawai'i.

Statement of
MAPUANA DE SILVA

Halau Mohala Ilima
before the
HOUSE COMMITTEE ON CULTURE, ARTS, & INTERNATIONAL AFFAIRS

Wednesday, March 24, 2021
11:00 AM
State Capitol, Conference Room #329

In consideration of
SENATE BILL NO. 696 SD1
RELATING TO THE FESTIVAL OF THE PACIFIC ARTS

Chair Gates, Vice Chair LoPresti, and members of the Committee on Culture, Arts, & International Affairs:

As a member of the Native Hawaiian community, a master kumu hula, and an appointed commissioner representing the community, I fully **support** Senate Bill 696 SD1, which extends the date to which the temporary commission on the 13th Festival of Pacific Arts & Culture shall cease to exist to August 31, 2025. It permits the commission members to discuss matters relating to official board business with revised rules in regards to Chapter 92, Hawai'i Revised Statutes, to enable them to perform their duties faithfully.

I have had the privilege of attending the last 5 festivals – beginning in 2000 in New Caledonia, and continuing in 2004 in Palau, 2008 in American Samoa, 2012 in the Solomon Islands, and 2016 in Guam – as the Assistant Head of Delegation at the 8th Festival in 2000 and the 12th Festival in 2016, and as the Head of Delegation at the 9th, 10th, and 11th Festivals. The Hawai'i Delegations at all of the festivals since the 2nd Festival in 1976 have been hosted by our Pacific island cousins every four years in each Pacific Island Nation. We now have this prestigious and unique opportunity to return the hospitality and aloha to those who have hosted us, as we are now set to host the 13th Festival in 2024 and welcome to our shores those who have so graciously and willingly have welcomed us to and hosted us in their own nations across the Pacific. Attending any of the Festivals of Pacific Arts & Culture is life changing. I have experienced that five times in the last 20 years. We now have the steering paddle and it's time to take hold of it and chart our course to lead our Pacific community to the post pandemic Festival of Pacific Arts & Culture.

The 13th Festival of Pacific Arts & Culture was originally scheduled to be held in Hawai'i in June of 2020, but due to the COVID-19 pandemic, it is now set to take place June 6-16, 2024. As a result, it is necessary to extend the date of the temporary commission to allow its members to continue planning for the festival in 2024. It is for that reason that **I support SB696 SD1**. Mahalo nui loa for this opportunity to provide testimony.